



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.16530 of 2015

A. ELAVARASAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE OF TAMIL NADU REP.BY
THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI - 20.
(CRIME NO. 1127/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.P.SENTHIL Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

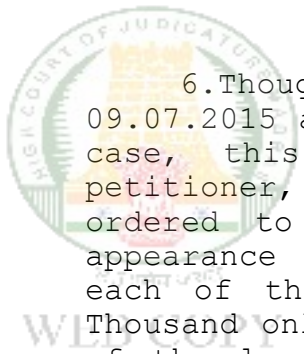
The petitioner, who is the sole accused in Crime No.1127 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b) and 506(i) IPC and hence, seeks anticipatory bail.

2.According to the defacto complainant, who is an advocate, was appearing for one Sathish Kumar, in a criminal case and after he was acquitted in the criminal case, the accused in this case, attempted to attack the defacto complainant on 05.07.2015.

3.The learned counsel for the petitioner submitted that the petitioner is residing at Door No.12, Vinayagar Nagar, 1st street, opp. to District Court, Madurai-20, since his birth and in respect of the property, civil suits in O.S.No.463 of 1995 and O.S.no.376 of 2004 are still pending. While so, the defacto complainant along with the opposite party, came to the premises to take possession by force, which was rightly objected by the petitioner. Due to that dispute, a false complaint was given implicating the petitioner in this case.

4.The learned counsel for the petitioner has filed a typed set containing the copies of the plaint, driving license and Ration Card of the petitioner to show that he is residing at Door No.12, Vinayagar Nagar, 1st street, opp. to District Court, Madurai. He would further submit that the respondent has already completed the investigation and
<https://hservices.courts.gov.in/hservices>
filed a charge sheet in this case.

5.Heard the learned Government Advocate (Crl.Side).



6. Though the earlier applications were dismissed by this Court on 09.07.2015 and 03.08.2015, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thiruppathur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE THIRUPPATHUR
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
3. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
4. THE INSPECTOR OF POLICE, ANNA NAGAR POLICE STATION,
MADURAI - 20.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.P.SENTHIL Advocate SR.No.49786

ORDER
IN
CRL OP(MD) No.16530 of 2015
Date :28/08/2015

GJM/NGM/SS/SARII-1.9.15-2P-7C