



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

Wednesday, the Twenty Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18295 of 2015

1 M. AMSAVALLI

2 MOOKKAI

S/O. RASUPINNA THEVAR,

3 O. MOOKKAI

S/O. OCHATHEVAR,

... PETITIONER(S) / ACCUSED 1 TO 3

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE

C4, THILAKAR THIDAL POLICE STATION,

MADURAI CITY.

CRIME NO. 718 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.ALEXANDAR DEVANESAM Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

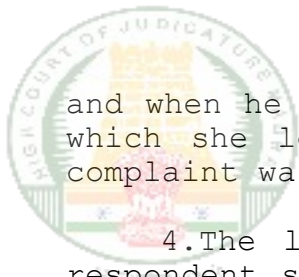
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 148, 294(b), 323, 324, 427, 448, 506(ii), 406 and 420 of IPC, in Crime No.718 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that A1 had borrowed Rs.5,60,000/- from the de-facto complainant and A2 and A3 have given some documents as security and on 07.06.2015 when the de-facto complainant asked A1 to repay the loan amount, all the accused attacked him and caused damage to the property of the de-facto complainant worth about Rs.10,000/- and also threatened the de-facto complainant with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioners 1 and 2 are husband and wife and the 3rd petitioner is the father of A1 and they have been falsely implicated in this case and that this case was registered, based on the direction issued by the Judicial Magistrate No.II, Madurai under section 156(3) Cr.P.C. It is further submitted that the de-facto complainant had received Rs.35,00,000/- from A1 assuring to get contract work in Madurai Corporation and in the temples



and when he was asked to repay the amount, he gave life threat to A1, for which she lodged a complaint against him and as a counter blast, this complaint was filed against the petitioners with an ulterior motive.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that in the alleged occurrence, no one has sustained any injury.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Madurai, 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 petitioners shall appear before the respondent police daily at 10.00 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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/-
23/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, MADURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
C4, THILAKAR THIDAL POLICE STATION, MADURAI CITY.

+1. CC to M/S.M.ALEXANDAR DEVANESAM Advocate SR.No. 56451.

TS/29.09.2015/2P - 6C

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ORDER
IN

CRL OP(MD) No.18295 of 2015
Date :23/09/2015