

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL ORIGINAL PETITION No.25020 of 2017

1 M.VEERARAGHAVAN

[PETITIONERS / ACCUSED]

2 V.SHANTHI

Vs

STATE REPRESENTED BY,
INSPECTOR OF POLICE,
R9 POLICE STATION,
VALASARAVAKKAM, CHENNAI-87,
CR.NO.373 OF 2016.

[RESPONDENT]

For Petitioner : M/S.A.SUMATHY Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioners seek anticipatory bail under section 438 of Cr.P.C. for the alleged offences under Sections 448 and 506(i) IPC in Cr.No.373 of 2016 on the file of the respondent police.

2. Heard both sides.

3. According to the prosecution, the first petitioner is the husband of the second petitioner. The petitioners and the defacto complainant have entered in to a joint venture of construction agreement. In the course of business, there arose some misunderstanding between the parties and on account of that the petitioners have threatened the defacto complainant.

4. The learned counsel for the petitioners would submit that without completion of work, the builder has executed the construction agreement in addition to the ratio fixed to him and on questioning the same, he has stopped the construction work and issued a legal notice. He further submits that the petitioners are innocent persons and they are falsely implicated in this case only with an intention to harass them and therefore, they may be granted anticipatory bail.

5. The learned Government Advocate (CrI. Side) would submit that the petitioners threatened the defacto complainant. The first and second petitioner are aged about 60 and 50 years respectively and there is also a civil suit pending between the parties.

6. Having regard to the nature of allegation against the petitioners and considering the age of the petitioner and that a civil suit pending between the parties and it is not stated that the custodial interrogation of the petitioners is required, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions :-

7. (i) Anticipatory bail is granted.

(ii) The petitioners are ordered to be released on bail in the event of their arrest or appearance before the learned Judicial Magistrate No.1, Poonamallee, within a period of fifteen days from the date of receipt of a copy of this order 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 said Magistrate.

(ii) The first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(iii) The second petitioner, being a lady, shall report before the respondent police as and when required for interrogation.

-sd/-
20/11/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,
R9 POLICE STATION,
VALASARAVAKKAM, CHENNAI-87.

+2 CC to M/S.A.SUMATHY Advocate on payment of necessary charges
Sr.21235

CRL OP.25020/2017

Date :20/11/2017

RVR 22/11/2017