



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

Tuesday, the Twenty Second day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) Nos.10496 and 10571 of 2017

ARCHUNAN

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD)NO.10496/2017

KANNAN

... PETITIONER/ACCUSED NO.2
IN CRL OP(MD)NO.10571/2017

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, (CRIME),
MADURAI CITY,
CRIME NO.1184 OF 2017
(IN BOTH THE PETITIONS)

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.G.THIRUNAVUKKARASU Advocate
IN BOTH THE PETITIONS

For Respondent : MR.A.RAMAR, Additional Public Prosecutor
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406, 420 of I.P.C in Crime No.1184 of 2017, seek anticipatory bail.

2. The case of the prosecution is that on 27.06.2017 the defacto complainant and his friend one Balakrishnan were sitting in the defacto complainant's house. At that time, A1 & A2 have come there to discuss about the land matters. Suddenly one unknown person has entered into the defacto complainant's house and introduced himself as a Police and has taken a sum of Rs.2,00,000/- and Samsung mobile from the defacto complainant and also abused in filthy language and also threatened him with dire consequence and escaped from the spot by the auto.

3. The learned counsel appearing for the petitioners submits that the petitioners have not involved in the above said occurrence and the defacto complainant also did not mention specific allegation against the petitioner and the entire allegation made in the FIR is only against unknown person.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two accused in this case. The petitioner in Crl.O.P.(MD)No.10496 of 2017 is arrayed as A1 and the petitioner in Crl.O.P.(MD)No.10571 of 2017 is arrayed as A2 and investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that there is no specific overt act attributed against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner 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.6, Madurai, on condition that the petitioner shall execute 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 respondent police or the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall report before respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required, for interrogation. The petitioner shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO VI, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, (CRIME), MADURAI CITY,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+2. CC to M/S.S.KAMESWARAN Advocate SR.Nos.29209, 29210

ORDER
IN
CRL OP(MD) Nos.10496 and 10571 of 2017
Date :22/08/2017