



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

Monday, the Eighteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16818 of 2017

1 S.SUBRAMANIAN
2 S.MAHARASI

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE (CRIME)
SUBRAMANIYAPURAM POLICE STATION,
MADURAI CITY,
(CRIME NO.1043 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.SOLAISAMY Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Cr1. Side)

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

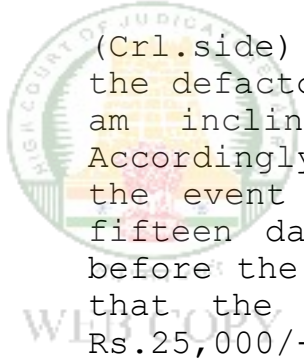
ORDER : The Court Made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323, and 506 (i) of I.P.C, in Crime No.1043 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant were running the hotel namely Annapoorna, there was a dispute between them regarding to run the hotel. For which, there was a civil dispute in between the defacto complainant and the petitioner, which is pending before the Civil Court. Thereafter, the defacto complainant filed a complaint before the respondent police as if the petitioner entered into the hotel and committed a theft of articles worth about Rs.5,00,000/-.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offences as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that there was a civil dispute between the petitioner and the defacto complainant, which is pending before the lower Court.



(Crl.side) that there was a civil dispute between the petitioner and the defacto complainant, which is pending before the lower Court, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Madurai, on condition that the petitioners shall execute a own bond for a sum of Rs.25,000/-, to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(i) the petitioner shall report before the respondent police as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not commit any offence while on bail;

(iv) the petitioner shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

18/12/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE(CRIME)
SUBRAMANIYAPURAM POLICE STATION, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.36583

ORDER IN
CRL OP(MD) No.16818 of 2017
Date :18/12/2017