



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

Wednesday, the Twenty Second day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1870 of 2017

IQBAL

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

STATE REP.BY
INSPECTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY CITY
(CRIME NO.188/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 392 and 506(ii) of IPC., in Crime No.188 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the accused have entered into the Cell-Phone shop of the defacto complainant and forcibly taken away three cell-phones and further threatened him with dire consequences.

3. The learned counsel appearing for the petitioner states that the petitioner has never committed any offence, as alleged by the respondent. The father-in-law of the defacto complainant is residing in a portion of upstairs of the petitioner's house, as tenant, and due to dispute between them, the defacto complainant frequently trespassed with dangerous weapons in the premises and attacked the present petitioner and a case was registered in Crime No.709 of 2016 on 12.12.2016 against the defacto complainant and others. He also submitted that FIR was registered against the one named and three others, though the name of the petitioner is well known to the defacto complainant.



4. The learned Government Advocate (crl.side) appearing for the respondent states that totally there are four accused in this case and the petitioner herein is A4. He would further submit that A1 to A3 were arrested and they are in custody. The accused have entered into cell-phone shop of the defacto complainant and forcibly taken away three cell-phones and further threatened him with dire consequences and the said Cell-Phones were recovered from A1 and on the basis of A1's confession, the petitioner has been implicated in this case. A1 and A4 are brothers and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that three cell-phones have been recovered from A1, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Tiruchirappally City, 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 the respondent police daily at 10.30 a.m., until further orders, for interrogation. 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

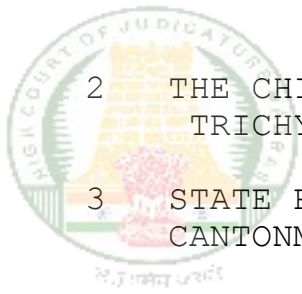
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22/02/2017

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

MPK
TO

1 THE JUDICIAL MAGISTRATE NO.II, TIRUCHIRAPPALLY CITY



2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

3 STATE REP.BY INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, TRICHY CITY.

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

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.9892

GJM/JM/SAR-2-24.2.17-3P-6C

ORDER
IN
CRL OP(MD) No.1870 of 2017
Date :22/02/2017