



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Fifth day of April Two Thousand Seventeen
PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.2235 of 2017

WEB COPY

1 SEKAR @ RAJASEKAR
2 ARAKKAN @ THANGARAJ

... PETITIONER/ACCUSED NO.1 AND 2

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.50/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.ANTONY ARUL RAJ Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

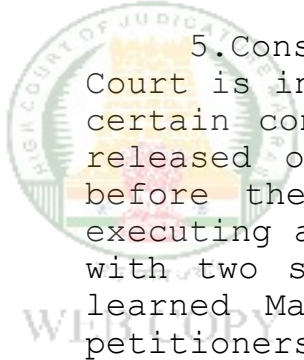
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 in Crime No.50 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 109, 324, 448, 506(ii) IPC and Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, and 506(i) IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioners submitted that it is alleged in the complaint that the first petitioner/A1 approached the defacto complainant and gave his mobile phone for repair and after repair, the defacto charged Rs.500/-, but the petitioners/A1 and A2 refused to pay the amount and attacked the defacto complainant and also damaged his Laptop worth about Rs.30,000/-. He would further submit that the petitioners did not damage any articles of the defacto complainant and due to wordy quarrel, this false complaint has been lodged. As per the direction of this Court dated 24.03.2017, the petitioners have deposited Rs.10,000/- each to the credit of Crime No.50 of 2017, without prejudice their contentions.

4.The learned Government Advocate appearing for the respondent / Police submitted that the second petitioner has four previous cases and that the investigation is pending.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Rajapalayam and on each 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 conditions that the petitioners shall appear before the respondent Police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
05/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTTHUR
- 3 THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.19584
+1cc to M/s.G.MARIMUTHU, Advocate, in SR No. 12899

ORDER IN
CRL OP(MD) No.2235 of 2017
Date :05/04/2017

MS PM SAR2 07/04/2017 2P 7C