



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

Friday, the Seventh day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8588 of 2017

B.ARIF AHMED

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION,
TRICHY,
CRIME NO.492 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.BALAJI Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4 in Crime No.492 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) and 506(ii) of I.P.C and Section 3(1) of TNPPDL Act, 1984 and hence, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the tenant of the shop, which is belonging to the petitioner herein and he has filed RCOP No.53 of 2017 against the petitioner and the same is pending. The accused in this case said to have damaged the shop and threatened the de-facto complainant with dire consequences and abused him with filthy language.

3.The learned counsel for the petitioner would submit that all tenants including the de-facto complainant have vacated the premises of the petitioner as early as June 2016 and the de-facto complainant demanded money from the petitioner and threatened him with dire consequences and hence, the petitioner filed a suit in O.S.No.592 of 2017 for bare injunction and the same is pending before the III Additional District Munsif Court, Trichy. He further submitted that the petitioner is innocent and no way connected with the alleged offence.



4.The learned Additional Public Prosecutor submitted that there are totally four accused in this case and the petitioner is arrayed as A4, except the petitioner herein, all other accused were arrested and they are in judicial custody. He further submitted that the investigation is still pending.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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.IV, Trichy and on 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 condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

The petitioner 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/-

07/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV,TRICHY.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE III ADDITIONAL DISTRICT MUNSIF, TRICHY.
- 4 THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.BALAJI Advocate SR.No.26082

CSL/RR-BS/SAR-II/10.07.2017 : 2P/7C

ORDER

IN

CRL OP(MD) No.8588 of 2017

Date :07/07/2017