



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

Monday, the Tenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16188 of 2018

SHEIK UTHUMAN

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

TENKASI POLICE STATION, TIRUNELVELI DISTRICT

CRIME NO.128/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.JEGAN Advocate

For Respondent : MRS.M. ANANTHA DEVI

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 offences punishable under Sections 547 and 380 I.P.C, in Crime No.128 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the the defacto complainant is the tenant under the petitioner. The petitioner asked the defacto complainant to vacate the shop, due to the same, the defacto complainant lodged a complaint before the respondent police. Thereafter, a civil case in O.S.No.330 of 2017 was filed before the learned District Munsif, Tenkasi and the same is pending till date. While so, on 19.02.2018, the petitioner along with his henchmen threatened the defacto complainant to vacate the shop. Thereafter, on 03.03.2018, the petitioner looted the properties belongs to the defacto complainant to the tune of Rs.4,00,000/-. Hence the complaint.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.



4. Taking note of the facts and circumstances, 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, Tenkasi and on his 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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 shall stand dismissed.

sd/-  
10/09/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE  
TENKASI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE  
TENKASI POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER  
IN  
CRL OP(MD) No.16188 of 2018  
Date :10/09/2018

MSI/PN/SAR-II/19.09.2018-2P/5C