



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

Thursday, the Sixteenth day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.14512 of 2018

A. JUSTIN DRAVIAM

... PETITIONER / ACCUSED -1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KALAIYAR KOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 340 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.BALAMURUGAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

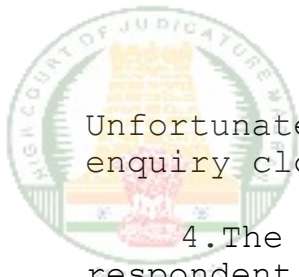
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b), 307 and 506(ii) IPC in Crime No.340 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that 12.11.2014, the petitioner and his brother-in-law borrowed a sum of Rs.4,00,000/- from the defacto complainant for purchasing the land and has given assurance to repay the said amount within a period of two months. Thereafter, they did not repay the said amount to the defacto complainant. On 30.06.2018, the petitioner and another abused the defacto complainant with filthy language and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the present complaint is a false one and they have been falsely implicated in this case. He further submitted that in fact, on 19.01.2018, the defacto complainant attacked the petitioner, as such, he lodged a complaint on 19.01.2018 and the same was registered in Crime No.19 of 2018, for the offence under Sections 341, 394(b), 323 and 506(ii) IPC, in which, he sustained grievous injuries. Thereafter, the defacto complainant indulged in the same criminal activities. Therefore, the petitioner filed a complaint before the respondent police and the same was closed,



Unfortunately, the higher officials also without even conducting an enquiry closed the complaint.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that investigation is still pending.

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5.Considering 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, Sivagangai 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/-

16/08/2018

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

RMI
TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGANGAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE
KALAIYAR KOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.BALAMURUGAN Advocate SR.No.15735
PS/JC/SAR-4:24/08/2018:2P/6C

ORDER

IN

CRL OP(MD) No.14512 of 2018

Date :16/08/2018