



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) No.22905 of 2018

1 VALLIRAJ
2 LAKSHMANAN

... PETITIONERS / ACCUSED 1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
CRIME NO.496/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.MUTHUMALAIRAJA, Advocate

For Respondent : Mr.R.ANANDHARAJ, Additional Public Prosecutor

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

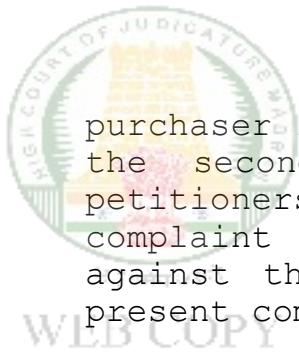
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(i) IPC, in Crime No.496 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the second petitioner is said to have threatened the defacto complainant.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate [Criminal Side] for the respondent State.

4. According to the petitioners, the second petitioner, son of the first petitioner, is working as Appraiser in City Union Bank. One Samuthirakani approached the second respondent to redeem the jewels, which were sold in an auction to some third person, pledged by her father. Thereafter, the said Samuthirakani obtained the jewels from the auction purchaser as per the advice of the second petitioner. While so, after two years, the said Samuthirakani approached the second petitioner and asked him to obtain a sum of Rs.7,000/-, which is said to be collected excessively by the auction



purchaser from the said Samuthirakani. When the same is refused by the second petitioner, the said Samuthirakani threatened the petitioners herein. Hence, the second petitioner has lodged a complaint against the defacto complainant and only to take revenge against these petitioners, the defacto complainant has filed the present complaint.

5. Considering the facts and circumstances of the case and also taking into consideration of the fact that this case has been lodged only to wreck vengeance against the petitioners, this Court is inclined to grant Anticipatory Bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.2, Thoothukudi, Thoothukudi District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a likesum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.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 shall stand dismissed.

sd/-

27/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.2, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.MUTHUMALAIRAJA Advocate SR.No.24090

ORDER IN

CRL OP(MD) No.22905 of 2018

Date :27/12/2018

MS/PN-AC/SAR-3/31.12.2018/2P.6C