



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

Friday, the Seventh day of September Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.16044 of 2018

MARKU

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
ARAVAYAL POLICE STATION,  
SIVAGANGAI DISTRICT.  
(CRIME.NO.70/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.JEGADEESH PANDIAN 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, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 342, 294(b) and 506 (ii) of I.P.C. in Crime No.70 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 30.08.2018, the de-facto complainant lodged a complaint alleging that he had a friendship with first accused. The de-facto complainant purchased two properties through the first accused and further he wanted to purchase their land. Therefore, the first accused said to the de-facto complainant that the property situated at Patharakudi for a sale and per acre at about Rs.2,00,000/- is fixed. In order to purchase the property the de-facto complainant parted a sum of Rs.2,00,000/-, balance amount of Rs.4,50,000/-, went to along with the first accused on 18.05.2018 at Aravayal. At that time, ten persons have come from there looted the amount and also attacked him and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit the petitioner is not an named accused and he is no way connected with the first and named accused of the First Information Report. There is no specific allegations as against the petitioner and moreover as per the prosecution that the alleged occurrence took



place on 18.05.2018 and the present complaint has been lodged only on 30.08.2018. Hence, he prays for anticipatory bail to the petitioner.

4. Heard the learned Additional Public Prosecutor appearing for the respondent.

5. 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, Devakottai, Sivagangai District 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/-

07/09/2018

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

TO

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

PS/JC/SAR-2:18/09/2018:2P/5C

ORDER

IN

CRL OP (MD) No.16044 of 2018

Date : 07/09/2018