



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.7077 of 2019

MURUGESAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
VEDASANTHUR POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.118 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.CHENGIZ KHAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

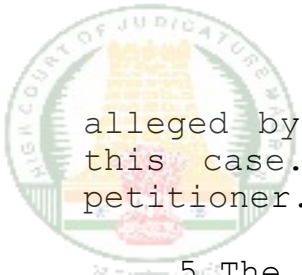
The petitioner/accused, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 427 and 506(i) IPC in Crime No.118 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.Heard Mr.K.Chengiz Khan, learned Counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (Crl. Side) appearing for the State.

3.The case of the prosecution is that the defacto complainant's father owns a building, which was rented out in favour of one Annathurai to run a Hotel business for a monthly rent of Rs.11,000/- and received a sum of Rs.1,00,000/- as advance. The said Annathurai runs Hotel business since 2017 and defaulted the payment of rent from August 2018 and also went out from the Village. Thereafter, the complainant locked the building. However, the petitioner and other accused tried to illegally break the lock and open the building which was questioned by the complainant, at that time, the petitioner and other accused threatened the defacto complainant with dire consequences.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he did not commit any offence as



alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to this petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that no one sustained injury in the alleged occurrence.

6. Taking into consideration the facts and circumstances of the case and considering the fact that no one sustained injury in the alleged occurrence and that Section 506(i) IPC is non-bailable offence, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy was made ready before the learned Judicial Magistrate Court, Vedsanthur on condition that the petitioner shall execute a separate 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 respondent Police and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioner shall report before the respondent police as and when required for the interrogation.

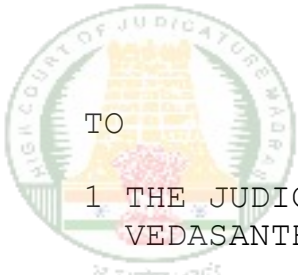
[c] the petitioner shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-
15/05/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
VEDASANTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
VEDASANTHUR POLICE STATION,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.CHENGIZKHAN, Advocate (SR-8436[I] dated 16/05/2019)

ORDER

IN

CRL OP (MD) No.7077 of 2019

Date :15/05/2019

JM/JC/SAR 1/21.05.2019/3P/6C