



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 07/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7751 of 2019

S.Annakodi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
Crime No.183 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.Anandan,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

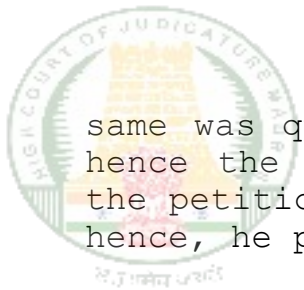
For anticipatory bail in cr.no.183 of 2019 on the file of the respondent police.

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 323, 448, 294 (b) and 506 (1) IPC., in Crime No. 183 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the defacto complainant is an Advocate and he is also legal advisor of company by name 'Solar Power Company'. He further submitted that for establishing the said company, lands were purchased by the said company through defacto complainant and other office bearers of the said company and they have fraudulently possessed lands belong to the relatives of the petitioner and the



same was questioned by the petitioner along with his relatives and hence the defacto complainant gave a false complaint stating that the petitioner assaulted him and also criminally intimidated him and hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent has submitted that when the defacto complainant and other office bearers of the said company were talking in a room about purchase of the lands, the petitioner entered into the said room and assaulted the defacto complainant with hands and also criminally intimidated him. She further submitted that since no external injuries caused, the defacto complainant was treated as out patient. She further submitted that the investigation is still pending and hence, she opposed this petition.

5. Taking into consideration of the fact that no external injuries caused to any one and also the fact that the dispute is with regard to purchase of the lands, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/06/2019

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

TO

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

+1. CC to M/S.K.ANANDAN Advocate SR.No.9282

ORDER

IN

CRL OP(MD) No.7751 of 2019

Date :07/06/2019

MS/PN/SAR-3/14.06.2019/3P.6C