



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 01/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9043 of 2019

A.Angamuthu

... Petitioner/Accused No.7

Vs

The Sub-Inspector of Police,,
Fort Police Station, Trichy City,
Trichy District.
Crime No.992 of 2018

... Respondent/Complainant

For Petitioner : M/s.R.Sundar,
Advocate.

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

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

PRAYER :-

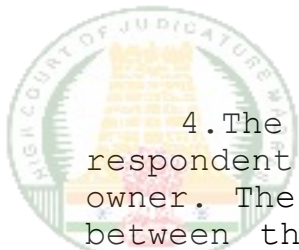
For Anticipatory Bail in Crime No.992 of 2018 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294 (b) and 506 (ii) of IPC, Crime No.992 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that even as per the FIR, the wordy quarrel arose between the petitioner and the defacto complainant with regard to the eviction of the defacto complainant. The petitioner and other accused persons abused the defacto complainant and threatened her with dire consequence. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case, and therefore, he prayed anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the petitioner herein is a house owner. The defacto complainant is a tenant. The wordy quarrel arose between the petitioner and the defacto complainant with regard to the eviction of defacto complainant. She further submitted that the investigation is still pending. Hence, he strongly opposed this petition. However, she fairly conceded that no previous case pending against the petitioner and no one sustained any injury.

5. Taking into consideration of the aforesaid fact that only wordy quarrel between the petitioner and the defacto complainant and also the fact no one sustained any injury, this Court is not inclined to grant anticipatory bail to the petitioner.

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 Court, No.I, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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.

(ii) the petitioners 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/-

01/07/2019

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



TO

1.The Judicial Magistrate Court, No.I,
Trichy.

2.Do-Through The Chief Judicial Magistrate,
Trichy District.

3.The Sub-Inspector of Police,
Fort Police Station, Trichy City,
Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SUNDAR, Advocate (SR-10770[I] dated 01/07/2019)

ORDER

IN

CRL OP(MD) No.9043 of 2019

dss

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