



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.233 of 2020

1. Sarathkumar,
2. Suseela,

... Petitioners/Accused 1 & 2

Vs

State rep.by
The Inspector of Police,
Thideer Nagar Police Station,
Madurai City.
(Crime No.744 of 2019)

... Respondent/Complainant

Alavudeen

... Intervener Petitioner/
Defacto Complainant/Defacto Complainant
in CRL MP(MD)No.300 of 2020
in CRL OP(MD)No.233 OF 2020

For Petitioners : M/s. R.G. Shankar Ganesh,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.A.Balaji, Advocate

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

PRAYER :-

for Anticipatory Bail in Crime No.744 of 2019 on the file of
the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the
learned counsel for the intervener and the learned Government
Advocate(Crl.Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 120(b),

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



406, 420, 468, 471 and 506(1) of I.P.C., in Crime No.744 of 2019 on the file of the respondent police, seek anticipatory bail.

3. The case of the defacto complainant is that the petitioners have fabricated documents and obtained licenses from the statutory authorities for the purpose of running the rice mill in the premises in question. It appears that the petitioners were tenants under the vendor of the defacto complainant.

4. The defacto complainant's counsel would however allege that the petitioners are only employees of his vendor. Be that as it may, it is seen that civil proceedings are pending between the parties right from the year 2016. The case against the petitioner, in any event, rests on documentary evidences. Therefore, I am of the view that the arrest of the petitioners is not required.

5. In view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai, and on their 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 petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. 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. Consequently, connected miscellaneous petition is closed.

sd/-

27/01/2020

/ TRUE COPY /

/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE

STATIONER, NAGAR, POLICE STATION, MADURAI CITY.

<https://hcservices.hc.madras.gov.in/NAGAR>



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

+1 CC to M/s.R.G.SANKAR GANESH, Advocate (SR-1530[I] dated
27/01/2020)

+1 CC to M/s.A.BALAJI, Advocate (SR-1551[I] dated 28/01/2020)

ORDER

IN

CRL OP(MD) No.233 of 2020

Date :27/01/2020

pnn

AE/VR/SAR-IV (30.01.2020) 3P 7C