



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

Date : 17/02/2020

PRESENT

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

CRL OP(MD). No.1580 of 2020

WEB COPY

1. L.Periyasamy,
2. S.Thirisangu, ... Petitioners/Accused(Rank not known)

Vs

The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Thottiyam Taluk,
Trichy District ,
(Crime.No.60 in 2020.

... Respondent/Complainant

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

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

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

PRAYER :-

For Anticipatory Bail in Crime No.60 of 2020 on the file of the
Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners 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 under sections 420 and 406 of
I.P.C., in Crime No.60 of 2020 on the file of the respondent police,
seek anticipatory bail.

3. The case of the defacto complainant is that the second
petitioner had taken his lorry on payment of a sum of Rs.1,75,000/-.
The second petitioner has agreed to clear the monthly EMIs. It is
alleged that the second petitioner has not adhered to the said
undertakings. The second petitioner is not ready to return the
lorry to the defacto complainant.

4. On a careful perusal of the entire FIR, it is seen the
primary allegations have been made only against the second
petitioner. Hence, this criminal original petition stands dismissed
as against the second petitioner.



5. Since no serious allegations have been made against the first petitioner, I am inclined to grant anticipatory bail to the first petitioner with certain conditions. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Musiri, 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 first petitioner shall appear before the respondent police as and when required for interrogation. The first petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The first 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/-
17/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
MUSIRI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, THOTTIYAM,
THOTTIYAM TALUK, TRICHY DISTRICT .

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

+1. CC to M/S.R.SUNDAR Advocate SR.No.3286

ORDER
IN
CRL OP(MD) No.1580 of 2020
Date :17/02/2020

KM/ (24.02.2020) SAR3-SKN/2P 6C