



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/02/2020

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PRESENT

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

CRL OP(MD) . No.2556 of 2020

1. SMSR.Natarajan
2. VKS.Bharathi
3. Vallinayagam,
4. Santhanam
5. Saravanan

... Petitioners/Accused Nos.1 to 5

Vs

The Sub-Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No.28/2020).

... Respondent/Complainant

For Petitioners : M/s.L.Praveen Kumar,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Intervener : Mr.V.Malaiyendiran

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

PRAYER :-

For Anticipatory Bail in Crime No. 28/2020 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 109 and 379 of I.P.C., in Crime No. 28 of 2020 on the file of the respondent



police, seek anticipatory bail.

3.The learned counsel appearing for the intervener took me through the averments set out in the First Information Report and also showed a video as if the shop in question was being broken open.

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4.The learned counsel for the petitioners thereupon pointed out that even according to the First Information Report, the occurrence had taken place at 4 a.m., on 12.01.2020. But then, the video was absolutely taken in the late afternoon. The learned counsel for the petitioner pointed out that it is not in respect of the said occurrence. For the subject matter of the video, Crime No.29 of 2020 was registered. He emphatically contended that the video shown by the learned counsel for the intervener has nothing to do with the occurrence set out in Crime No.28 of 2020.

5.The learned counsel for the petitioners would further contend that petitioners 1 to 3 are senior citizens. It appears that there is a dispute regarding the affairs of the Nadar Sangam at Usilampatti. I am of the view that the arrest of the petitioners is not going to serve any purpose.

6. Therefore, 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.1, Usilampatti, Madurai District, 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.

7. 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.

sd/-
13/02/2020

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



TO

1. THE JUDICIAL MAGISTRATE No.I,
USILAMPATTI, MADURAI DISTRICT.
 2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE SUB-INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.L.PRAVEEN KUMAR, Advocate (SR-3091[I] dated 13/02/2020)

ORDER
IN
CRL OP(MD) No.2556 of 2020
Date :13/02/2020

PNN
TE/JC/SAR-IV : 19/02/2020 : 3P/6C