



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/02/2020

PRESENT

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

CRL OP(MD) . No.3671 of 2020

1. S.Kamalavalli
2. M.Thiruppathi ... Petitioners/Accused 1 & 2

Vs

State represented through
The Inspector of Police,
Theppakulam Police Station,
Madurai City
(Crime No.770 of 2019). ... Respondent/Complainant

For Petitioner : M/s.M.Kannan,
Advocate.

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

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

PRAYER :-

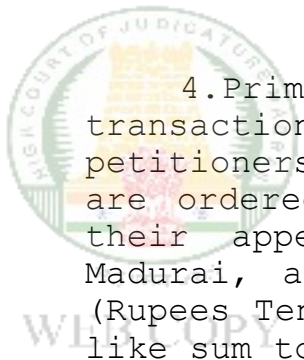
for Anticipatory Bail in Crime No.770 of 2019 on the file of
the respondent police

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 406 and 420 of
I.P.C., in Crime No.770 of 2019 on the file of the respondent
police, seek anticipatory bail.

3. The case of the defacto complainant is that the items
belonging to him have been removed by the petitioners herein
dishonestly. It is seen that the petitioners are the landlords
while the defacto complainant was their tenant. The petitioners
have obtained eviction order against the defacto complainant. Six
months after the eviction was enforced, the case on hand came to be
registered.



4. Prima facie, the case appears to be an off-shoot of a civil transaction. Hence, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 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.

5. 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/-
27.02.2020

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

IAS

TO

1. The Judicial Magistrate No.I, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
Theppakulam Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.3671 of 2020
Date : 27/02/2020

VB(05.03.2020) 2P 5C