



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

Date : 19/03/2020

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PRESENT

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

CRL OP(MD) . No.4544 of 2020

1. K.R.Suresh
2. Siyam
3. Parathkumar
4. Arumuga Nainar

... Petitioners/
Accused No.1 to 4

Vs

The State rep. by
The Inspector of Police,
South Gate Police Station,
Madurai city.
(Crime No.6/2020)

... Respondent/Complainant

Seshadri Varadhan

... Petitioner/
Intervene Petitioner/
Defacto-complainant
(in CRL OP(MD) No.2881/2020)

For Petitioner : M/s.K.S.Durai Pandian,
Advocate.

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

For Intervener : Mr.G.Mariappan

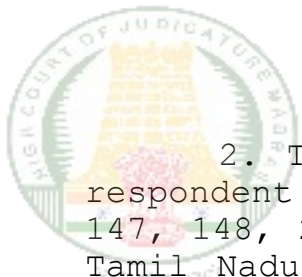
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

for Anticipatory bail in Crime No.6 of 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 (Criminal Side) appearing for the respondent.



2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 109, 147, 148, 294(b), 323, 452, 506(ii) of I.P.C., and Section 3 of the Tamil Nadu property (Prevention of Damages and Loss) Act, 1992 in Crime No. 6 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The petitioners 1 to 3 are not present before this Court. Therefore, this Criminal Original Petition is dismissed as far as they are concerned. However, they are given liberty to file a fresh petition for anticipatory bail.

4. Mr.Arumuga Nainar, the fourth petitioner herein, is present in person before me.

5. Most of the co-accused were arrested and granted bail by this Court. It is brought to my notice by the learned counsel for the intervener that Arumuga Nainar had given a complaint dated 04.01.2020 alleging commission of offences under the SC/ST Act, by Seshadri Varadhan and an Advocate by name Parthasarathy.

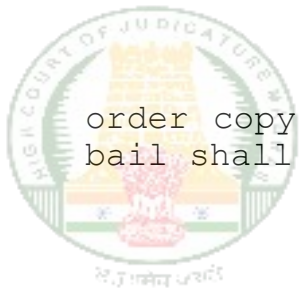
6. Arumuga Nainar informs this Court in the presence of his counsel and also a relative advocate Mr.Mohan Gandhi, that the complaint given by him on 04.01.2020 is a false one and that he is withdrawing the same.

7. The learned counsel for the intervener on instructions both from the defacto complainant Seshadri Varadhan as well as Thiru.Parthasarathy submitted that they also would treat the matter as closed.

8. Arumuga Nainar gives a further undertaking that he will totally keep on from the property till the civil case is adjudicated.

9. Recording the submission made on either side, I am inclined to grant anticipatory bail to the fourth petitioner with certain conditions. Accordingly, fourth petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court No.4, Madurai, 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 fourth petitioner shall appear before the respondent police as and when required for interrogation. The fourth petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

10. The fourth petitioner shall appear before the concerned Magistrate Court in 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/-
19/03/2020

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/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE COURT NO.4,
MADURAI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4544 of 2020
Date :19/03/2020

PNN
SRS/ JC/ SAR-III/ 02.06.2020/ 3P/5C