



WEB COPY

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

Date : 23/03/2020

PRESENT

The Hon'ble MR.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.5010 of 2020

Prabakar

... Petitioner/Accused No.1

Vs

The State rep. by
The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.74 of 2017)

... Respondent/Complainant

For Petitioner : Mr.R.Niresh Kumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side).

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

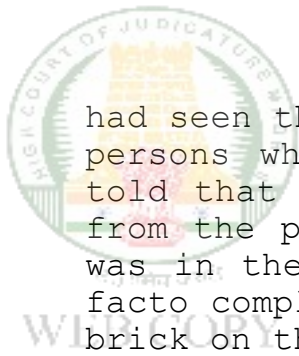
PRAYER :-

for Anticipatory bail in Crime No.74 of 2017 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the offence punishable under sections 294(b), 324, 354, 506(1), 109 of I.P.C., in Crime No.74 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is working in abroad and is also running a laundry shop in the name and style of AR Power Laundry at Pattukottai, Thanjavur district. The petitioner herein is none other than the brother of the de-facto complainant. In the complaint, it is alleged that on 21.03.2017, at about 7.30 am, the de-facto complainant came to his shop, where he



had seen the lock was broken. The de-facto complainant had asked the persons who were present at the place about the incident. He was told that the petitioners herein had broken the lock and scattered from the place. He further alleged that at about 8.30 am, while he was in the house, the petitioner had come to the house of the de-facto complainant and scolded him in obscene words and beat him with brick on the head.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that this is a counter case and at the instigation of the elder brother, this petitioner along with another brother have entered into the house of the de-facto complainant and threatened his wife. Hence the case. Since the case is of the year 2017 and petitioner also return to India on 16.03.2020, I am inclined to grant Anticipatory Bail.

5.The learned counsel for the petitioner would submit that he has been falsely implicated in this case and he has not indulged any offence as alleged by the prosecution.

6.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Pattukottai 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 Petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of three days and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7.The petitioner shall appear before the concerned Magistrate on or before 27.04.2020, failing which, the petition for anticipatory bail shall stand dismissed. In view of the medical alert announced by the State Government, I am inclined to grant time for furnishing sureties as stated above.

sd/-
23/03/2020

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/ /2020

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



TO

1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.SAMUEL GUNASINGH, Advocate (SR-5648[I] dated
23/03/2020)

ORDER
IN
CRL OP(MD) No.5010 of 2020
Date :23/03/2020

PKN
TE/JC/SAR-III : 24/03/2020 : 3P/6C