



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.5771 of 2020

1.KARTHICK BALACHANDRAN
2.VIJAYA KARTHICK

... PETITIONERS/ACCUSED
RANK NOT KNOWN

VS

STATE REP BY
THE INSPECTOR OF POLICE,
TUTICORIN SOUTH POLICE STATION,
TUTICORIN,
CRIME NO.NOT KNOWN OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.Krishnan,
Advocate.

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

For Intervenor : Mr.P.Santhanakrishnan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 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 Government Advocate appearing for the respondent and the learned counsel appearing for the intervenor.

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of I.P.C in Crime No. Not known of 2020, on the file of the respondent police, seek anticipatory bail.



3.The issue is one between the brother and sister. The case of the defacto complainant is that the petitioners have not paid the full value for the work done and when the same was demanded, the petitioners not only attacked the defacto complainant but also the aged mother.

4.When the matter was taken up for hearing on 11.06.2020, I gave interim protection to the petitioner and adjourned the matter, so that the issue can be amicably resolved. Today (i.e., 07.08.2020), when the matter was taken up for hearing, learned counsel on either side reports that settlement could not be arrived at.

5.Having considered the rival contentions on either side and taking note of the relationship between the parties and the fact that the issue essentially turns on a civil claim, the arrest of the petitioners is not going to serve any purpose. Hence, 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 The Judicial Magistrate, No.1, Tuticorin, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two 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.

6. 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/-
07/08/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.I,

<https://hcservices/TELETYPE/IN/hcservices/>



2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.

3 THE INSPECTOR OF POLICE

TUTICORIN SOUTH POLICE STATION,
TUTICORIN.

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5771 of 2020

Date :07/08/2020

dss/ias

JM/AKM/SAR 2/13.08.2020/3P/5C