



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

Date : 26/06/2020

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN
CRL OP(MD) . No.6692 of 2020

1. K.R.Suresh
2. K.R. Shyam
3. Parathkumar

... Petitioners/Accused No.1 to 3

Vs

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

... Respondent/Complainant

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

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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 and
the learned Additional Public Prosecutor 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
Tamil Nadu Property (Prevention of Damages & Loss)Act, 1992 in Crime
No.6 of 2020 on the file of the respondent police, seek anticipatory
bail.

3.The case of the prosecution is that due to civil dispute, the
accused persons, entered into the premises of the defacto
complainant armed with weapons and threatned him to give the
property and furthermore, the accused persons had damaged things
worth about Rs.50,000/-. Hence, a complaint.

4.The learned counsel for the petitioners would submit that the
petitioners are innocent persosns and they did not commit any
offence as alleged by the prosecution.

5.The learned Additional Public Prosecutor would submit that
<https://hcservices.ecourts.gov.in/hcservices/>
the petitioners damaged the property worth about Rs.50,000/- and
that the investigation is yet to have been completed.



6. In the view of the above, I am inclined to grant anticipatory bail to the petitioners subject to the condition that the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand) each (Totally Rs.60,000/-) to the credit of crime No.6 of 2020 before the learned Judicial Magistrate No.4, Madurai.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.4, Madurai on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(i) the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand) each (Totally Rs.60,000/-) to the credit of crime No.6 of 2020 before the learned Judicial Magistrate No.4, Madurai.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(iii) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

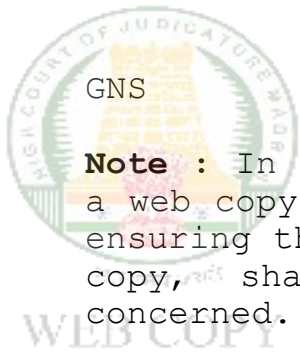
(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. The petitioner 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.

9. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-
26.06.2020

/ TRUE COPY /



GNS

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 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.6692 of 2020
Date : 26/06/2020

VB SKN SAR 3 (29.06.2020) 3P 5C