



WEB COPY

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

Date : 08/10/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10999 of 2020

S.Pandithurai

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No. 807 of 2020).

... Respondent/Complainant

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

For Respondent : Mr.KR.Bharathi kannan,
Government Advocate (Criminal Side)

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

PRAYER :-

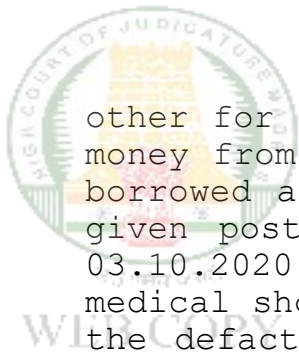
For Anticipatory Bail in Crime No. 807 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 323, 337, 427 and 506(ii) of IPC seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused trespassed into the shop of the defacto complainant and also damaged the entire medical shop and instruments to the tune of Rs.4,00,000/- and also caused injuries to the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioner is running a private transport and the defacto complainant is running a medical shop and they are known to each



other for the past 25 years. The defacto complainant used to borrow money from the petitioner , while being so, the defacto complainant borrowed a sum of Rs. 3,00,000/- from the petitioner and also had given posted dated cheques in favour of the petitioner. Hence on 03.10.2020 the petitioner herein went to the defacto complainant medical shop and requested to return the money which was borrowed by the defacto complainant . At that time there was a wordy quarrel, for which a false complaint has been given against the petitioner as if he damaged the medical shop of the defacto complainant.

4. The learned Government Advocate(Criminal Side) would submit that there are totally five accused in this case and the accused no.2 and 5 were arrested and remanded to judicial custody. There was a loan transaction between the petitioner and the defacto complainant for which the petitioner along with other accused said to have trespassed into the shop of the defacto complainant and also damaged the entire medical shop and instruments to the tune of Rs.4,00,000/- and also caused injuries to the defacto complainant.

5. It is seen that there are totally five accused in this case and the petitioner herein is arrayed as A1. A2 and A5 were arrested and remanded to judicial custody. There was a loan transaction between the petitioner and the defacto complainant for which the petitioner along with other accused said to have trespassed into the shop of the defacto complainant and also damaged the entire medical shop and instruments to the tune of Rs.4,00,000/- and also caused injuries to the defacto complainant and his wife.

6. Taking into consideration all the facts of the case this Court is not inclined to grant anticipatory bail to the petitioner.

7. Hence this petition stands dismissed.

sd/-
08/10/2020

/ 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 INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVGANGAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10999 of 2020

Date :08/10/2020

AAV

SRS/ SMA/SAR-II/ 12.10.2020/ 3P/3C