



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18.05.2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9118 of 2022

1.Arun Prakash
2.Nithya Nirmaladevi
3.Pradeep @ Pradeep Raja ... Petitioners/Accused Nos.1 to 3

Vs

The State rep.by
The Inspector of Police,
C.5 Karimedu (L & O) Police Station,
Madurai,
Madurai District.
(Crime No.341 of 2022) ... Respondent/Complainant

For Petitioners : Mr.Ramasamy.S
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor.

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

PRAYER :- For Anticipatory Bail in Crime No.341 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 447, 448, 324, 327, 380, 384, 403 & 506(i) of IPC in Crime No. 341 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the first petitioner. In respect of property dispute, the petitioners joint together and threatened the defacto complainant to execute the settlement deed in favour of the first petitioner. Since she refused to do so, they assaulted her and the first petitioner has stolen her ATM and withdraw the amount without her knowledge. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he prayed for grant of anticipatory bail to the petitioners.



4.The learned Additional Public Prosecutor appearing for the respondent police would state that there is a property dispute between the petitioners and the defacto complainant.

5.Taking note of the facts and circumstances of the case and also taking note of the submission made by the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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 Judicial Magistrate No.V, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police every Saturday at 10.30 a.m until further orders.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners, in accordance with law, as if the conditions have been imposed and the petitioners 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]**.

sd/-
18/05/2022

/ TRUE COPY /

23/05/2022
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.V
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
C.5 KARIMEDU (L & O) POLICE STATION,
MADURAI,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9118 of 2022
Date :18/05/2022

SA/JM/SAR.2/20.05.2022/3P/5C