



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

Date : 01/07/2022

PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD) . No.11428 of 2022

Padhmakumar

... Petitioner/Accused-11

Vs

The State Rep. By,  
The Inspector of Police,  
Manavalakurichi Police Station,  
Kanyakumari District.  
Cr.No.44/2022.

... Respondent/Complainant

For Petitioner : M/s.Karthikeyavenkitachalapath,  
Advocate.

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

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

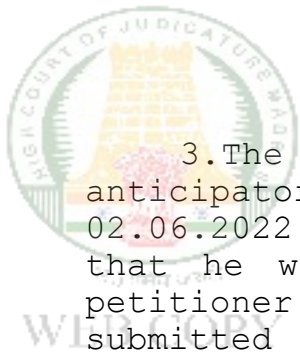
PRAYER :-

For Anticipatory Bail in Cr.No.44/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.11, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 353, 342, 427 and 506(i) of I.P.C, in Crime No.44 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and others constructed a building and used it as Aalaya Munnetra Sangam office and Kandha Sasti Mandapam and the same was taken possession and sealed by HR and CE Department, due to which, the petitioners along with the others illegally assembled and locked the office room and threatened the defacto complainant with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioner submitted that earlier anticipatory bail application in Crl.O.P.(MD).No.9744 of 2022, dated 02.06.2022 was not pressed by the counsel on record on the ground that he was not arrayed as an accused. Now, in the FIR, the petitioner's name was mentioned as 11<sup>th</sup> accused. He further submitted that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is having one previous case.

5. Considering the facts and circumstance of the case and also considering the fact that co-accused have already been granted anticipatory bail by this Court in Crl.O.P.(MD).No.9744 of 2022, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Eraniel, on condition that the petitioner shall execute 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 stands dismissed.

sd/-  
01/07/2022

/ TRUE COPY /

/07/2022  
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,  
ERANIEL.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
KANNIYAKUMARI DISTRICT AT NAGERCOIL.

3. THE INSPECTOR OF POLICE,  
MANAVALAKURICHI POLICE STATION,  
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate ( SR-6462[I]  
dated 01/07/2022 )

ORDER

IN

CRL OP(MD) No.11428 of 2022

Date :01/07/2022

vsg

USK/JM/SAR-IV/07.07.2022/3P/6C