



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

Date : 06/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11237 of 2022

Karnan

... Petitioner/Accused-1

Vs

The State rep.by
The Inspector of Police,
Jeeyapuram Police Station,
Trichy
Cr.No.142/2022.

... Respondent/Complainant

For Petitioner : Mr.RAMSUNDARVIJAYRAJ.S, Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

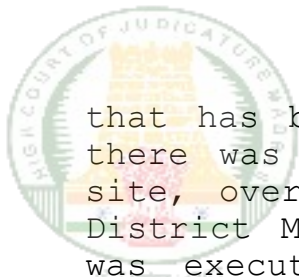
PRAYER :- For Anticipatory Bail in Cr.No.142/2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 363, 323 and 505(i) IPC in Crime No.142 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant gave a statement to the police when he was admitted in the hospital stating that the accused person, namely, Karnan demanded execution of the property in his favour for meagre amount, but that was refused. On 19.05.2022 when he visited the Jeeyapuram Police Station along with his relatives at about 12.00 noon, the accused, Karnan along with three persons abducted him in a car and in the car, he was criminally intimidated to execute the sale deed in favour of them. He was assaulted with hands. On the basis of the aforesaid complaint, the case has been registered.

3.Seeking anticipatory bail, this petition has been filed on the ground that the earlier case in Crime No.497 of 2021 was registered against the defacto complainant herein, on the basis of the complaint given by this petitioner. That was enquired and later, that was closed as mistake of fact, finding that a false complaint has been given by the petitioner herein. But as per the observation



that has been made by the Investigation Officer, it is seen that there was continuous trouble with regard to the sale of property site, over which suit was pending between the parties before the District Munsif Court, Lalgudi. So, against the cancellation that was executed by Chandran in favour of his wife and subsequent cancellation of filing of the civil suit that wrong complaint has been given, it was closed on 05.01.2022. This occurrence said to have taken place on 19.05.2022, which is a consequence of the aforesaid issue.

4.Considering the fact that there was continuous trouble over the sale of the property between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Magistrate No.3, Trichy, 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.

6.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.

sd/-

06/07/2022

/ 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 NO.3,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

<https://www.mhc.tn.gov.in/judis>



3 THE INSPECTOR OF POLICE,
JEEYAPURAM POLICE STATION, TRICHY.

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

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

+1. CC to M/S. RAMSUNDARVIJAYRAJ S Advocate SR.No.6743

ORDER

IN

CRL OP(MD) No.11237 of 2022

Date :06/07/2022

SA/VR/SAR.1/20.07.2022/3P/7C