



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

Date : 21/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.11760 of 2022

1. R.Vishnu
2. P.Alagupandi
3. V.Sabari Girish

... Petitioners/Accused No.1 to 3

Vs

The State Rep. By,
The Inspector of Police,
Cantonment Police Station,
Trichy City.
Cr.No.894/2022.

... Respondent/Complainant

For Petitioners: M/s.Jameel Arasu B,
Advocate.

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

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

PRAYER :-

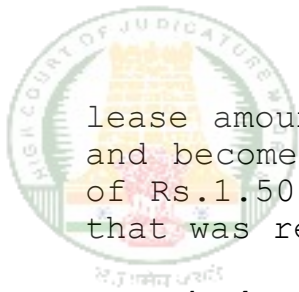
For Anticipatory Bail in Cr.No.894/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 427, 506(ii) I.P.C, in Crime No.894 of 2022 on the file of the respondent police, seek anticipatory bail.

2.By the order dated 08.07.2022, specific order has been passed by this Court, to verify the real tenants and who put up the superstructure in the property.

3.The learned Government Advocate (Crl. Side) for the respondent police submitted that one Devakumar is a tenant, who took the lease of the cite and put up the superstructure. The defacto complainant become a sub lessee by given a sum of Rs.1.50 lakhs as



lease amount. Later, the first petitioner said to have taken over and become the original lessee. Again, he also demanded the amount of Rs.1.50 lakhs from the defacto complainant as lease amount. When that was refused, he caused damaged to the above said shop.

4.The learned counsel for the petitioners would submit that the petitioners are ready to deposit the alleged cost of damage Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of crime number.894 of 2022 before the trial Court concerned.

5.The superstructure belongs to whom is a matter for investigation. Now, the Southern Railway affixed the board in the disputed cite that no one should entered into the property. It appears that both sides have been prevented from entering into the property. So, in the light of the latest development and also the willingness of the petitioners to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.3,00, 000/- (Rupees Three Lakhs only) to the credit of Cr.No.894 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate Court No.II, Trichy, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-

21/07/2022

/ 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.II,
TRICHY.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11760 of 2022

Date :21/07/2022

dss

USK/SVR/SAR-I/28.07.2022/3P/5C