



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11828 of 2022

R.A.Prabhu,

... Petitioner/Accused No.1

Vs

THE STATE REP BY,
The Inspector of Police,
Kottar Police Station.
Cr.No.201/2022.

... Respondent/Complainant

For Petitioner : M/S.S.Mahalakshmi, 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.201/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 354, 506(i) and 379(NP) IPC in Crime No.201 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the husband of the defacto complainant is that the Administrative Manager of the St.Francis Matriculation School, Sarakalvilai, Kottar. Because of some dispute between A1 and the petitioners herein, on 22.04.2022 defacto complainant and her husband alleged to have trespassed into the school and at that time, A3 and A4 are said to have snatched 4 sovereigns of gold chain from the defacto complainant and criminally intimidated with dire consequences.

3.The learned counsel for the petitioner submitted that it is a case of case and counter case and that the petitioner is an innocent and he has been falsely implicated in this case.



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the chain has been recovered from A2. Even though she was not arrested on the ground that she was very old in age. He would further submit that in respect of the very same occurrence a counter case has also been registered against the defacto complainant and that the defacto complainant was arrested and released on regular bail.

5.Considering the fact that there was dispute between the members of the school administration and that it is a case and counter case and that the defacto complainant has already been arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6.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 the learned Judicial Magistrate Additional Mahila Court, Nagercoil in Kanyakumari District, 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 concerned Magistrate and on further condition that 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.

VSG

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,
ADDITIONAL MAHILA COURT, NAGERCOIL
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KOTTAR POLICE STATION.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-6575[I] dated 05/07/2022)

ORDER
IN
CRL OP(MD) No.11828 of 2022
Date :01/07/2022

PKP/SVR/SAR-1/07.07.2022/3P/6C