



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13339 of 2022

WEB COPY

1. Muthukannan
2. Manish @ Manikandan ... Petitioners/Accused No.1&2

Vs

The State Rep. By,
The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
Cr.No.254/2022. ... Respondent/Complainant

For Petitioner : M/s. Arputharaj.A,
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.254/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 436 IPC, in Crime No.254 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that he used to park the vehicle in front of his house. As usual he parked his vehicle in the night of 14.07.202 and at about 1.00 am, when the defacto complainant's brother returned back to home after work, he found that the above said two wheeler was burnt. On enquiry, it was revealed that this petitioner only burnt the above said vehicle. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. According to the defacto complainant, because of previous enmity between them and the temple festival issue, the above said offence has been committed by the petitioner.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that the damage caused to the two wheeler is worth about Rs.35,000/- and the investigation of the case is pending.

5. Considering the nature of offence and that the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Alangulam, Tenkasi District, 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 on further condition that the petitioners shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) to the credit of Crime No.254 of 2022 before the 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.

7. 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/-

06/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
ALANGULAM, TENKASI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION, TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.13339 of 2022

Date :06/09/2022