



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

Dated: 09/09/2022

PRESENT

WEB COPY

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.13384 of 2022

1.S.Velusamy

2.Balasubramaniyan

3.Vanaja

4.Ashokan

5.Vinothkumar

...Petitioners/Accused Nos. 1 to 5

Vs.

State Rep.by

The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.

(Crime No.69 of 2022)

...Respondent/Complainant

Surendiran

...Defacto complainant/Intervenor
In CRL MP(MD)No. 9135 of 2022

For Petitioners : Mr.P.M.Vishnuvarthanan, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate
(Criminal side)

For Intervener : Mr.T.A.Om Prakash, Advocate
In CRL MP(MD)No. 9135 of 2022

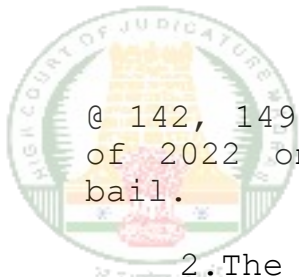
PETITIONS FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C.

PRAYER:-

For Anticipatory Bail in Crime No.69 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A1 to A5 apprehending arrest at the hands of the respondent police for the offences punishable under sections 142, 149, 380 IPC r/w 34, 395 and 402 IPC



@ 142, 149, 34, 380, 395, 402, 406, 420 and 465 IPC, in Cr. No. 59 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant by name Surendiran was married to Saranya, who is the daughter of A1. On 26/12/2021, A1 to A5 jointly taken away the jewels, cash, land documents, etc, from the house of the de-facto complainant through the lorry bearing registration No.TN-76-B-1476. On the basis of the complaint given by the de-facto complainant, this case has been registered.

3.Seeking anticipatory bail, all the accused persons have filed this petition on the ground that as a counter blast to the case in Crime No.518 of 2021, dated 11/10/2021, this complaint has been preferred.

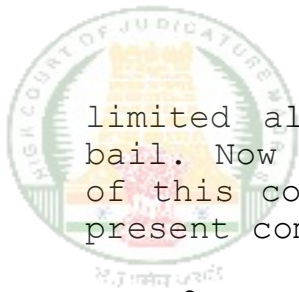
4.It is the case of the petitioners that these petitioners are parents and elder brothers of Saranya, who is the wife of the de-facto complainant and daughter of A1. The first complaint was registered in CSR No.634 of 2021 and that was closed as 'Action Dropped'; Suppressing the above said closure of the complaint, second complaint was registered with the improved facts; So because of the above said attempt of murder, the 1st petitioner's daughter namely Saranya could not able to do the day today activities. The de-facto complainant was released on bail, on 21/12/2021 and after coming out of bail only, he made all sort of allegations. Because of the illegal affairs of the de-facto complainant with one Fathima Beevi, he deserted the child and the wife.

5.Heard both sides.

6.This petition has a long history. Originally, on the basis of the complaint given by the wife of the de-facto complainant namely Saranya, a case in Crime No.518 of 2021 was registered. A serious allegation has been made against the de-facto complainant stating that by having illegal conduct with one Fathima Beevi, he arranged the other accused persons to commit the murder of the above said Saranya.

7.According to the learned counsel appearing for petitioners, the de-facto complainant was granted bail by this court. Only after coming out of bail, he made such sort of trouble by giving all sort of complaints in that petition. But the earlier complaint that has been given by the de-facto complainant was closed. The de-facto complainant is represented by an advocate. Now according to him, only as a counter blast, this FIR has been registered and Surendiarn was granted bail in Crl.OP(MD)No.19850 of 2021, dated 21/12/2021 in the normal course. The above said Saranya is the most affected person. But she was in coma stage, when the matter was heard. A3

<https://www.hcma.org.in/> bail application was heard by me. Considering the



limited allegation made against him, he was granted anticipatory bail. Now Surendiran has been granted bail by the coordinate Bench of this court. As mentioned earlier, after coming out of bail, the present complaint appears to have been given.

8. Even though the allegation of looting money, jewels and documents have been alleged, considering the previous enmity between the parties, I am of the considered view that this petition can be considered that the petitioners must appear before the respondent police and cooperate with him to complete the process of investigation.

9. Considering the above said factual situation, I am of the considered view that the anticipatory bail is granted to the petitioners with conditions. Accordingly, the petitioners are ordered to be **released on bail** in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Trichirapalli and on each of them executing 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 Judicial Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.00 am, until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously. 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 will stand dismissed.

sd/-

09/09/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TRICHIRAPPALLI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, TRICHIRAPPALLI DISTRICT.
- 3 THE INSPECTOR OF POLICE
JEEYAPURAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13384 of 2022

Date : 09/09/2022