



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

Date : 11/08/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13741 of 2022

1. Chidhuras Babu
2. Chithra
3. Kajendran

... Petitioners/Accused No.1 to 3

Vs

The State Rep. By,
The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
Crime.No.159 of 2022.

... Respondent/Complainant

For Petitioners : M/s Manoharan.R,
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

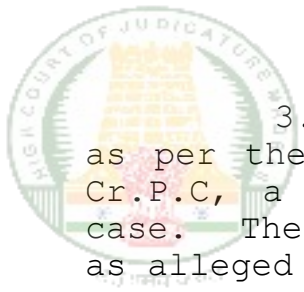
PRAYER :-

For Anticipatory Bail in Crime No. 159 of 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 Sections 294(b), 447, 427, 323, 506(ii) I.P.C, in Crime No.159 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a sale agreement between the defacto complainant and the accused persons, in respect of 60 cents. As promised, the accused persons did not execute a sale deed. Later the defacto complainant came to know that the alleged property was mortgaged by the accused persons. Therefore, the defacto complainant demanded to return the money, over which, the petitioners assaulted him with an iron rod and caused damage to the tune of Rs.13,000/- and also threatened him with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioners submit at as per the petition filed by the petitioners under Section 156(3) Cr.P.C, a direction was given by the Magistrate to register the case. The petitioners are innocents and not committed any offence as alleged by the prosecution.

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4. The learned Government Advocate (Crl.Side) submitted that due to trouble arose between the parties with regard to execution of sale deed, this case has been registered. The petitioners are not having any previous case at their credit.

5. Considering the above facts, the nature of dispute between the parties, that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners alone.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.13,000/- (Rupees Thirteen Thousand only) to the credit of Cr.No.159 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, Athoor, Dindigul, 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/-
11/08/2022

/ TRUE COPY /

/08/2022

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

TO

1. THE JUDICIAL MAGISTRATE,
ATHOOR, DINDIGUL.

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



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE,
KANNIVADI POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.R.MONOHARAN, Advocate (SR-8468[I] dated 12/08/2022)

ORDER

IN

CRL OP(MD) No.13741 of 2022

Date :11/08/2022

pnm

USK/PN/SAR-IV/24.08.2022/3P/6C