



WEB COPY

CRL OP(MD). N



22

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

Date : 23/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14013 of 2022

1. Jayaraman

2. Anand

3. Prabhu @ Vivek Prabhu

... Petitioners/Accused No.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Kollidam Police Station,
Trichy District.
Crime No.178 of 2022.

... Respondent/Complainant

For Petitioners : Mr.Karunanithi,
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 Crime No.178 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Section 379 IPC in Crime No.178 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that she is the tenant in respect of the property, which belongs to the father of the accused, namely Sethuraman. In respect of the aforesaid tenancy, there was dispute between them, over which a suit is also pending and the petitioners at the instigation of the owner were causing frequent trouble preventing her from opening the shop and doing the business.

3.On 30.07.2022 at about 09.30 pm., as usual the defacto complainant came to the shop and at that time, she found that the

<https://www.mca.gov.in/>



Stand and the steal Billing Table of the shop were found y. Over the aforesaid occurrence, she lodged the complaint, over which the present FIR has been registered against these petitioners.

4.The learned Government Advocate (Crl.side) for the respondent would submit that because of the aforesaid issue with regard to the tenancy, trouble has arisen and out of the aforesaid articles, except the name board of the sop, namely name board, other articles have been recovered.

5.Perusal of record shows that out of the aforesaid issue only, the present occurrence said to have taken place and considering the fact that no previous bad antecedents is reported against these 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 District Munsif cum Judicial Magistrate, Srirangam, Trichy 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 the petitioners shall appear before the respondent police daily at 10.30 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioners shall return the aforesaid name board or lighting name board, as the case may be, to the defacto complainant and must also deposit a sum of Rs.10,000/- towards cost of the aforesaid name board to the credit of Crime No.178 of 2022 before the learned District Munsif cum Judicial Magistrate, Srirangam, Trichy District. They must also file an undertaking affidavit before the concerned Court that they will not make any trouble to the defacto complainant till the disposal of the aforesaid suit.

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 shall stand dismissed.

sd/-

23/08/2022

/ TRUE COPY /

/09/2022

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



TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
KOLLIDAM POLICE STATION, TRIHCY DISTRICT.

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

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-9010[I] dated 25/08/2022)

ORDER

IN

CRL OP(MD) No.14013 of 2022

Date :23/08/2022

MM

MK/JM/SAR.I/02.09.2022/3P/6C