



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/09/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15728 of 2022

1. C.Kamalayyan
2. K.G.Ajin @ Ajin Kamalayyan Glory Bell,
3. C.Suresh Kumar ... Petitioners/Accused Nos.1 to 3

Vs

The State rep.by
The Inspector of Police,
Kadaiyalumoodu Police Station,
Kanniyakumari District.
Crime No.32 of 2022.

... Respondent/Complainant

For Petitioners : M/s.ASHOK.J., Advocate

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

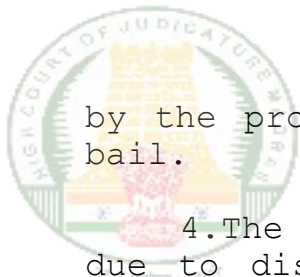
PRAYER :- For Anticipatory Bail in Crime No.32 of 2022 on the file of the Respondent Police.

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 452, 294(b), 323, 324, 427, 506(ii) IPC, in Crime No.32 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a tenant under A2. There was some issue between the landlord and tenant. On 20.08.2022 at about 11.40PM, he was informed that some persons caused damages to his shop, therefore, he went to shop and found that the accused persons caused damages to his shop, to the tune of Rs.30,000/-. When he questioned the same, he was assaulted and abused by them. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and not committed any offence, as alleged



by the prosecution. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that due to dispute between the landlord tenant, this occurrence took place and the articles worth about Rs.25,000/- were damaged by the accused persons. The petitioners are not having any bad antecedent in their credit.

5. Considering the facts and circumstances of the case and the petitioners are not having any bad antecedent, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Cr.No.32 of 2022 before the trial Court concerned, without prejudice to his 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 No.1, Kuzhithurai, Kanyakumari 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 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/-

01/09/2022

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/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.1
KUZHITHURAI, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.



3 THE INSPECTOR OF POLICE,
KADAIYALUMOODU POLICE STATION,
KANNIYAKUMARI DISTRICT.

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

+1. CC to M/S.ASHOK.J., Advocate SR.No.42198 **(F)** (Date:01/09/2022)

ORDER

IN

CRL OP(MD) No.15728 of 2022
Date :01/09/2022

PNM

SA/VR/SAR.4/07.09.2022/3P/6C