



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.20010 of 2021

MURUGAN @ KATTA MURUGAN, ... PETITIONER/ACCUSED

VS

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION,
TIRUNELVELI.

(CRIME NO.309 OF 2021.) ... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.N.SHYLLAPPA KALYAN,
ADVOCATE.

FOR RESPONDENT : MR.R.M.S.SETHURAMAN,
ADDITIONAL PUBLIC PROSECUTOR

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

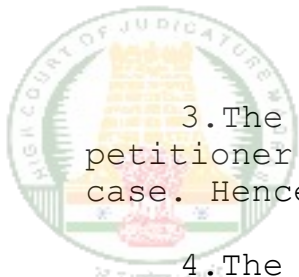
PRAYER :-

For Anticipatory Bail in Crime No. 309 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 307 and 506(ii) I.P.C, in Crime No.309 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that because of money dispute, the *defacto* complainant demanded money from the accused person, on 24.11.2021 at about 2PM, when the *defacto* complainant was standing near Sakthivel Thirumana Mandapam, the accused person came there, quarrel arose between them and the accused assaulted him. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is having bad antecedents and involved in more than five cases and produced the list of pending cases.

5.Perused the list submitted by the learned Additional Public Prosecutor, shows that except one case, all other cases pending against the petitioner were already disposed and the pending case also filed for violation of pandemic restrictions.

6.Considering the fact that the *defacto* complainant demanded exorbitant interest from the petitioner, this case has been registered against the petitioner, also the fact that none was injured in the incident and that there was money transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Principal Sessions Judge, Tirunelveli on condition that the petitioner shall execute 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 Judge concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of 30 days, thereafter, as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Judge 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/-
10/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

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 PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.

2. THE SUB INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION, TIRUNELVELI.

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

ORDER

IN

CRL OP(MD) No.20010 of 2021

Date : 10/01/2022

GC/VR/SAR-2(03.02.2022) 3P 4C