



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/03/2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4876 of 2022

Prahalathan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy City,
(Crime No.148/2022).

... Respondent/Complainant

For Petitioner : M/s.Ramsundarvijayraj.S,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

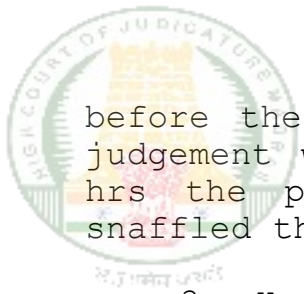
For Anticipatory Bail in Crime No.148 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 380, 448 of I.P.C., in Crime No. 148 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the defacto complainant has been a lessee in to the tune of Rs.1,00,000/- and in order to do business the defacto complainant had constructed a building and getting electricity connection for business with consent of proprietor/lessor and made an agreement. In the year 2017 when the defacto complainant asked about the building expenses and electricity service connection the proprietor/lessor could not able to give the amount. For which the defacto complainant made agreement for sale of the lease property to the tune of Rs.15lakhs and paid Rs.2 lakhs and the balance amount to be paid at the time of registration of the document. In the

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before the II District Munsif Court, Trichy for recovery. The judgement was ordered in his favour. On 03.02.2022 at about 23.30 hrs the proprietor/lessor had demolished the said building and snaffled the machineries worth about Rs.50,00,000/-, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Considering the fact that it is a tenant and landlord dispute this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.VI, Trichy, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

08/03/2023

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

AAV

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TO

1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, ARIYAMANGALAM POLICE STATION,
TRICHY CITY, TRICHY DISTRICT.

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

+1 CC to M/s.S.RAMSUNDARVIJAYARAJ, Advocate (SR-3719[I] dated
08/03/2023)

ORDER

IN

CRL OP(MD) No.4876 of 2022

Date :08/03/2023

RS//SAR-1(15.03.2023) 3P 6C