



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28.04.2023

WEB COPY

PRESENT

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

CRL OP(MD)No.8275 of 2023

1.Pradeep  
2.Saibullah

... Petitioners/Accused Nos. 1 & 2

Vs

State Represented by  
The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.  
(Crime No.162 of 2023)

... Respondent/Complainant

For Petitioner : Mr.P.Sureshkumar, Advocate

For Respondent : Mr.R.M.Anbunithi  
Additional Public Prosecutor (Crl.Side)

For Intervenor : Mr.M.Maharaja, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.162 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(i) of IPC in Crime No.162 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had purchased goods from the defacto complainant to the tune of Rs.14 Lakhs on credit basis, but drag on to pay the said amount. When the defacto complainant asked the petitioners to pay the said amount, they threatened him with dire consequences. Hence, the case.

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

4. It is seen that even according to the prosecution, the petitioners purchased materials from the defacto complainant to the



tune of Rs.14 Lakhs, however, they returned only Rs.1,50,000 and they failed to pay the remaining amount. It is the commercial transaction between the petitioners and the defacto complainant and all the allegations levelled against the petitioners are civil in nature. Therefore, the custodial interrogation of the petitioners does not required and hence, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Vadipatty, Madurai 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 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 petitioners 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 petitioners shall report before the respondent Police daily at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-  
28/04/2023

/ TRUE COPY /

/05/2023

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



1 THE JUDICIAL MAGISTRATE,  
VADIPATTY, MADURAI DISTRICT.

2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE  
ALANGANALLUR POLICE STATION,  
MADURAI DISTRICT.

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

+1 CC to M/s.SURESH KUMAR.P, Advocate (SR-7050[I] dated 28/04/2023 )  
ORDER  
IN  
CRL OP(MD) No.8275 of 2023  
Date :28/04/2023

PKP/MMS/SAR-4/17.05.2023/ **3P/6C**