



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/03/2023
PRESENT

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

CRL OP(MD) . No.11893 of 2022

1.Murugan
2.Nirmala

... Petitioners/Accused 1 and 2

Vs

The State rep.by
The Sub-Inspector of Police,
Thogamalai Police Station,
Karur District.
(Crime No.229 of 2022).

... Respondent/Complainant

Baludas

... Petitioner/De-facto Complainant
In Crl.MP(MD).8391/2022 in
Crl.OP(MD).11893/2022

For Petitioners : Mr.S.AROKIYA SELVA RAMESH,
Advocate.

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

For Intervenor : Mr.M.RAJARAJAN, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.229 of 2022 on the file of the Respondent police.

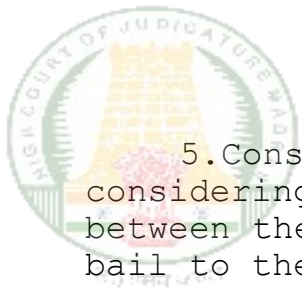
ORDER : The Court made the following order :-

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 and 506(ii) of I.P.C. in Crime No.229 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to money transaction dispute between the neighbours, the petitioners threatened the de-facto complainant. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioners and the defacto complainant are close relatives. It is a case of money transaction dispute between them.



5. Considering the facts and circumstances of the case and also considering the fact that there existed money transaction dispute between the neighbours, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

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 No.I, Kulithalai, 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

08/03/2023

/ TRUE COPY /

/03/2023

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



SJI
TO

1 THE JUDICIAL MAGISTRATE NO.I
KULITHALAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE SUB-INSPECTOR OF POLICE,
THOGAMALAIPOLICE STATION,
KARUR DISTRICT.

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

**ORDER
IN**

CRL OP(MD) No.11893 of 2022
Date :08/03/2023

SA/SBN/SAR.4/23.03.2023/3P/5C