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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14710 of 2023

K.Vetrivel @ Raja

... Petitioner/Sole Accused

Vs

The State, represented by
The Inspector of Police,
Thideernagar Police Station,
Madurai City.
(Crime No.346 of 2023).

... Respondent/Complainant

For Petitioner : Mr.T.Thirumurugan,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.346 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 294(b) IPC and Section 4 of TNPWH Act @ Sections 294(b), 326, 109 of I.P.C and Section 4 of TNPWH Act, in Crime No.346 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the husband of the victim, who has lodged the complaint stating that he is residing in the house situated at No.53, K.Block, TNHB Colony, Melavasal, Madurai, as tenant for the monthly rent of Rs.2,500/-. Originally, the above said house belongs to this petitioner. Actulally, the petitioner let out the said house to one Poongodi by way of lease agreement, dated 23.01.2023 for a period of three years for a sum of Rs.2,50,000/- and the said Poongodi has let out the said house to the defacto complainant. When the same was asked by this petitioner, trouble arisen between the parties. The petitioner has abused and criminally intimidated the defacto complainant and his wife through phone as well as in person. Due to above said trouble given by the petitioner, the wife of the defacto complainant attempted suicide and she was taken to the hospital. Hence, the complaint.

3. The learned counsel for the petitioner would submit that on the earlier



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occassion, the petitioner made a complaint against the defacto complainant over sub leasing of the above said property and that was also enquired in C.S.R.No.269 of 2023 and closed on 17.05.2023, directing the parties to workout their remedy through civil proceedings. Further, he would submit that the petitioner is ready to file an undertaking affidavit that he will not make any trouble to the defacto complainant and his family.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the wife of the defacto complainant has been discharged from the hospital.

5. Considering the facts and circumstances of this case and it is the issue between the land lord and the sub leaser and also considering that the petitioner is ready to file an undertaking affidavit that he will not make any trouble to the defacto complainant and his family members, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 Judicial Magistrate No.V, Madurai, 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner 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/-
11/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



3 THE INSPECTOR OF POLICE
THIDEERNAGAR POLICE STATION
MADURAI CITY.

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-12238[I] dated 14/08/2023)

ORDER
IN
CRL OP(MD) No.14710 of 2023
Date :11/08/2023

SS/VRS/28/08/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023