



CRL OP(MD) No.1005 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirtieth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1005 of 2024

1 B SUGUMAR

2 T R BALAKRISHNAN

... PETITIONERS / ACCUSED No.1 & 2

Vs

THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION,
TIRUCHIRAPALLI CITY.
CR.NO2971/2023

... RESPONDENT / COMPLAINANT

For Petitioner : No appearance

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

For Intervenor : Mr.B.JANARTH KUMAR, Advocate

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

PRAYER:

FOR ANTICIPATORY BAIL IN CR.NO.2971/2023 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police



CRL OP(MD) No.1005 of 2024

for the alleged offence under Sections 294(b), 506(i), 196, 406, 417, 420 and 511 of IPC, in Crime No.2971 of 2023, seek anticipatory bail.

2. The case of the prosecution is that for the past 23 years, the petitioners were residing in the defacto complainant house as a tenant. Till 2020, the petitioners have paid house rent regularly and thereafter, they have not paid rent. Therefore, on 14.08.2022, the defacto complainant went to the petitioners' house, at that time, the petitioners abused the defacto complainant in filthy language. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that during the pendency of this petition, compromise reached between the parties and the petitioners vacated the premises.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that there was a landlord and tenant dispute between the petitioners and the defacto complainant and now, compromise reached between the parties and the petitioners vacated the premises.

5. The learned counsel for the intervenor submitted that compromise reached between the parties and the petitioners vacated the premises.



CRL OP(MD) No.1005 of 2024

WEB COPY

6. Considering the facts and circumstances of the case and also the fact that the petitioners vacated the premises and handed over the key to the defacto complainant, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are granted anticipatory bail and they 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 of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Srirangam, Tiruchirapalli 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 and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police as and when required for interrogation;



CRL OP(MD) No.1005 of 2024

WEB COPY

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-
30/01/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM,
TIRUCHIRAPPALLI DISTRICT.



CRL OP(MD) No.1005 of 2024

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION, TIRUCHIRAPALLI CITY.

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

+1 CC to M/s.S.BALAJI, Advocate (SR-1252[I] dated 31/01/2024)

ORDER
IN

CRL OP(MD) No.1005 of 2024

Date :30/01/2024

SS/GS/SAR- /05/02/2024/5P/6C

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