



CRL OP(MD). No.6283 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Kasthuri Ganthi

2. Vasanth

3. Sriniketh

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
City Crime Branch,
Trichy City
Crime No.10 of 2024.

... Respondent/Complainant

For Petitioners : Mr.B.JAMEELARASU, Advocate

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.10 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent

Police, in connection with a case in Crime No.10 of 2024, for the offence punishable

<https://www.mhc.tr.gov.in/judis>



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under Sections 294(b), 417, 420 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that as per the lease agreement, the petitioners have received the amount from the defacto complainant and assured him to hand over the possession of the Petrol Bunk. However, the petitioners failed to do so. In this regard, on 25.01.2024, when the defacto complainant demanded to hand over the possession of the Petrol Bunk, the petitioners abused him in filthy language and also threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Owing to civil dispute, a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that in this case, investigation is yet to be completed. He further submitted that it is civil dispute between the parties. However, he fairly submitted that no one has been injured in the said occurrence.

5. Considering the facts and circumstances of the case and the fact that no one has been injured in the occurrence and also the nature of civil dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their 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 Judicial Magistrate on condition that

(i) the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tiruchirappalli;

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation;

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses;

(v) On violation of any of the above conditions by the petitioners,



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the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
24/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.I,
THIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY CITY

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

+1 CC to M/s.B.JAMEELARASU, Advocate (SR-4911[I] dated 25/04/2024)



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ORDER

IN

CRL OP(MD) No.6283 of 2024

Date :24/04/2024

SA/VR/SAR. /30.04.2024/5P/6C

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