



CRL OP(MD) No.20037 of 2023

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

Monday, the Eleventh day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) No.20037 of 2023

HELAN VINIFRED

... PETITIONER/ ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
RAMJEE NAGAR POLICE STATION, TRICHY.
(IN CRIME NO.139 OF 2023)

... RESPONDENT/COMPLAINANT

(*)2 SUGUMARAN

... 2ND RESPONDENT

(*)(R2 IS IMPEADED AS PER ORDER OF THE COURT
DATED 12.12.2023 IN CRL OP(MD).20037/2023)

For Petitioner : MR.B.JAMEELARASU, Advocate
For Respondent-1 : MR.R.SURESH KUMAR,
Government Advocate (Crl.Side)
For Respondent-2 : MR.K.S.KATHIRAVAN, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.139 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 apprehends arrest at the hands of the
respondent police for the offence punishable under section 379 IPC, in Crime No.139
of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:-



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The de-facto complainant lodged a complaint stating that he has purchased the property situated in Survey Nos.86/1, 86/3, 86/4 and 85/6 from the original owner and put up a factory shed. Later he sold a portion of the vacant land to one Sugumaran, on 05/08/2010. At that time, the shed was not dismantled. The above said Sugumaran availed Bank loan for the purpose of running factory and he was also doing contraction work with BHEL. Due to some illegal activity of the Branch Manager, the business ran into losses. The Bank by mistake auctioned 1.5 acres of land. Against which, he filed a suit in O.S No.1032 of 2022 and obtained interim injunction. On 13/12/2022, one David along with his rowdy elements trespassed into the properties and started dismantling and took away the machineries. Over which, a complaint was given to Ramjeenagar Police station. An undertaking was given by the above said persons in the police station. Again, on 17/07/2023, the accused persons trespassed into the property, removed the shed and machineries. Over which, the above said case was registered in Crime No.139 of 2023 for the offences stated above.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.Earlier application seeking anticipatory bail filed by the petitioner was dismissed by this Court. So far, perusal of CD file shows that there is no progress in the investigation.



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5. Let the petitioner appear before the respondent police and co-operate him to complete the process of investigation. During the investigation if any necessity arises, subjecting the petitioner to judicial custody steps shall be taken by the second respondent. With the above said directions, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this petitioner is ordered to be released on interim bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.III, Trichy, and 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/-

11/03/2024

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/03/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.III, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, RAMJEE NAGAR POLICE STATION,
TRICHY.

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

+1 CC to M/s.B.JAMEELARASU, Advocate (SR-3048[I] dated 12/03/2024)

+1 CC to M/s.K.S.KATHIRAVAN, Advocate (SR-3076[I] dated 12/03/2024)

ORDER

IN

CRL OP(MD) No.20037 of 2023

Date :11/03/2024

RS/JGB/SAR-(14.03.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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