



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

Monday, the Fifteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10720 of 2015

THAYAMMAL

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ETHAMOZHI POLICE STATION, KANYAKUMARI DT,

CRIME NO.190/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.NALLATHAMBI Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

ORDER : The Court Made the following order :-

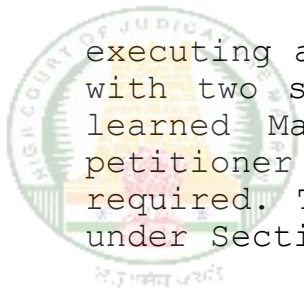
The petitioner, who is arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C., in Crime No.190 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused have committed theft of 300 coconuts from the de-facto complainant.

3. The learned counsel for the petitioner submitted that in O.S.No.29 of 2011, the learned Principal District Munsif, Nagercoil declared the petitioner is the owner of the property and the same was confirmed by the Additional Sub Court, Nagercoil in A.S.No.122 of 2014 and as per the decree of the Civil Court, the petitioner is the owner of the property and therefore, there is no question of theft of coconut from the land. The learned counsel for the petitioner further submitted that the petitioner is a senior citizen of 91 years and she has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that three accused have committed theft of 300 coconuts and the petitioner has no bad antecedent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Nagercoil and on his



executing 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 on further condition that the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
15/06/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.III,NAGERCOIL.

2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE KANYAKUMARI AT NAGARCOIL.

3.THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
ETHAMOZHI POLICE STATION, KANYAKUMARI DISTRICT.

+1. CC to M/S.D.NALLATHAMBI Advocate SR.No.30937
ORDER

IN
CRL OP(MD) No.10720 of 2015
Date :15/06/2015

rg.17.06.2015

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