



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

Friday, the Twenty Third day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.1105 of 2015

1 MANIKANDAN
2 C. VALLIYAPPA

... PETITIONERS/ACCUSED A1 & A2

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION, TRICHY,
CR.NO.63 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.VADIVELAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

There are totally 8 accused and the petitioners herein are A-1 and A-2, who apprehends arrest at the hands of the respondent police for the alleged commission of offences punishable under sections 147 and 506(ii) IPC said to have been committed on 25.12.2014, in Crime No.63 of 2015 on the file of the respondent police and seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant has filed a suit in O.S.No.488 of 2014 on the file of the Principal District Munsif, Trichy against the second petitioner and one Manikandarajan, praying for permanent injunction restraining them from interfering with the peaceful possession and enjoyment of the property. Infuriated by the same, all the accused had threatened him with dire consequences and asked for withdrawal of the civil case.

3.The learned counsel for the petitioners would submit that the first petitioner is the Power of Attorney of the second petitioner and on account of the pendency of civil dispute, they are falsely implicated and that they have nothing to do with the alleged offences.

4.The learned Government Advocate (Crl.Side) submitted that no party has sustained injuries and the investigation is pending.



5. However, this petition for anticipatory bail is strongly opposed by the learned counsel for the intervenor, who would submit that in spite of the substance of the interim order, the petitioners are bold enough to interfere in his possession and asked him to withdraw the suit.

6. This Court, considering the facts and circumstances of the case, is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate Court No. II, Trichy, and on each of them executing a personal 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 at 11.00 a.m. daily, for a period of four weeks and thereafter as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
23/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO. II, TRICHY.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE INSPECTOR OF POLICE, K.K. NAGAR POLICE STATION, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.VADIVELAN Advocate SR.No.3266
ORDER
IN
CRL OP(MD) No.1105 of 2015
Date :23/01/2015

PA/27.01.15/2P/6C