



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.14238 of 2015

VINAYAGAMOORTHY

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY ITS THE INSPECTOR OF POLICE,
MATHIYAPAGAM POLICE STATION, TUTICORIN DISTRICT.
CRIME NO.349 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ANANDAKUAMR Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who are arrayed as Accused Nos.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 457, 449 AND 427 of the Indian Penal Code in Crime No.349 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

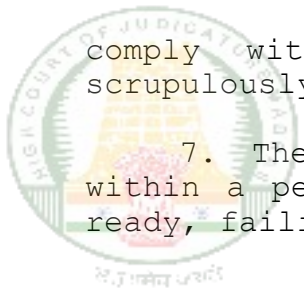
2. The case of the prosecution is that the accused trespassed into the property of the defacto complainant and damaged the shops and articles worth about Rs.7,00,000/-

3.The learned counsel for the petitioner submitted that the petitioner is the owner of the building and the defacto complainant is a tenant and due to lanlord and tenant dispute, a false complaint has been registered against him and it is further submitted that the petitioner gave a complaint against the defacto complainant and the same was registered in Crime No.348 of 2015 for the offences under Sections 448, 452, 457 of the Indian Penal Code.

4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Tuticorin and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum. The petitioners are to be released on bail on the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall



comply with the conditions 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/-
06/08/2015

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/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, TUTICORIN.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
 3. THE INSPECTOR OF POLICE, MATHIYAPAGAM POLICE STATION, TUTICORIN DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.N.ANANDAKUAMR Advocate SR.No.44448

ORDER
IN
CRL OP(MD) No.14238 of 2015
Date :06/08/2015

GJM/PRV/SAR-II-10.8.15
2P/6C