



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

Friday, the Seventh day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.14430 of 2015

1 M.SYED AMBIYA
2 M.SHEIK OLI,
3 M.MOHAMED MUSTAFA,
4 M.ASHEN
5 M.HUSSAIN,
6 K.MOHAIDEEN BAVA,
7 HAMEEDHAL BEEVI

... PETITIONERS/ACCUSED NO. A5, A6,
NOT ACCUSED, A3, A4, A1, A2

VS

STATE REPRESENTED BY THE
INSPECTOR OF POLICE
ATCHAN PUDUR POLICE STATION, TENKASI TALUK,
TIRUNELVELI DISTRICT.

(CRIME NO. NOT KNOWN OF 2015) ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.S.M.A.JINNAH ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA GOVERNMENT ADVOCATE (CRL.SIDE)

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

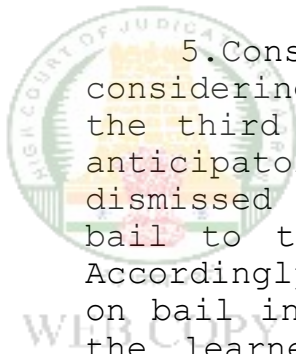
ORDER : The Court Made the following order :-

The petitioners who are arrayed as A1 and A6 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.193 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have demolished the entrance of the de-facto complainant house and also caused simple injury to her.

3.The learned counsel for the petitioners would submit that there is a civil dispute between the petitioners and the de-facto complainant and the present case has been falsely foisted against them. Further, the petitioners are innocent.

4.Heard the learned Government Advocate (Crl.side) for the respondent who would submit that the third petitioner is not an accused in the case.



5.Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate, as the third petitioner is not an accused in the present case, this anticipatory bail petition as against the third petitioner is dismissed and this Court is inclined to grant anticipatory bail to the petitioners 1, 2, 4 to 7, with certain conditions. Accordingly, the petitioners 1, 2, 4 to 7 are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Sengottai and on each of them 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 petitioners 1, 2, 4 and 5 shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation and the petitioners 6 and 7 shall appear before the respondent police as and when required. The petitioners 1, 2, 4 to 7 shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioners 1, 2, 4 to 7 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/-

07/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SENGOTTAI.
2. THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE
ATCHAN PUDUR POLICE STATION, TENKASI TALUK,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14430 of 2015

Date :07/08/2015

2P/5C

TE/PRV/LIB 17/08/2015

<https://hcservices.ecourts.gov.in/hcservices/>