



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.08.2015

CORAM
THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WEB COPY

Crl.O.P(MD)No.15446 of 2015

1.M.Ravi
2.Satish
3.Nagendran

.. Petitioners

Vs.

State rep by
The Sub Inspector of Police,
Amma Naickannur Police Station,
Dindigul District.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., praying this court to set aside the condition No.2 made in Crl.M.P.No.1906 of 2015 on the file of the Principal Sessions Judge, Dindigul dated 29.07.2015.

For Petitioners :Mr.Muthukumarsamy
Sr.Counsel for

M/S.A.Jenasenan

For Respondent :Mrs.S.Prabha

Government Advocate (Crl.side)

O R D E R

This petition has been filed under Section 439(1)(b) Cr.P.C, praying to to set aside the condition No.2 made in Crl.M.P.No.1906 of 2015 on the file of the Principal Sessions Judge, Dindigul dated 29.07.2015.

2.Heard the learned Senior counsel for the petitioners and the learned Government Advocate (Crl.side)appearing for the State.

3.Mr.R.Muthukumarasamy, learned Senior Counsel appearing for the petitioners submitted that the second petitioner had purchased the properties in dispute in the year 2003 and since then, he has been in possession and enjoyment of the same. The de-facto complainant has made a false claim and the parties have instituted suits and the dispute is pending before civil Court. While so, he has given a complaint against the petitioners alleging that on 16.11.2014, the accused threatened him with dire consequences, while fencing the property and on that basis, a case has been registered in Crime No.75 of 2015, against the petitioners for offences under Sections 147, 447, 294-B and 506(I) of I.P.C.

4.The learned Senior counsel would submit that the petitioners filed Crl.M.P.No.1906 of 2015 before the Sessions Court seeking anticipatory bail and the same was granted by the Principal Sessions Court, Dindigul with a condition that they should appear before the respondent police daily at 10.00 a.m., for a period of 30 days. It is further submitted that the second petitioner is running a chain of hotels mainly at Chennai and also
<https://www.mca.gov.in/services> the petitioners 1 and 3 are also looking after the business of the second petitioner at Chennai and therefore, the condition to report before the respondent daily at 10.00 a.m., for 30 days, is an onerous one.



5.The learned Government Advocate(Crl.side) would submit that the petitioners have furnished the sureties today and they have not complied with the conditions so far.

6.Considering the submissions of the learned Senior counsel appearing for the petitioners and also considering the nature of the allegations made in the complaint, the condition No.2 in Crl.M.P.No.1906 of 2005 alone is deleted and the petitioners shall appear before the respondent police as and when required for interrogation and the other conditions shall remain.

Sd/-

Assistant Registrar (WRITS)

\\True copy\\

Sub Assistant Registrar

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To

1.The Sub Inspector of Police,
Amma Naickannur Police Station,
Dindigul District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

1CC TO MR. S. SETHURAMAN, ADV SR: 45756

RG 13 8 15 - 2P 4C

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