



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15678 of 2015

1 PAPPATHY

2 POOSAIPANDI

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP BY INSPECTOR OF POLICE
PULIANGUDI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO. 334 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.BASKAR MATHURAM Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

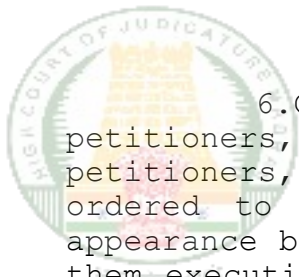
The petitioners, who are arrayed as accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 379 of I.P.C. in Crime No.334 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant, who is the Village Administrative Officer of Pattakurichi Village, the accused have cut and removed 17 palm trees in channel poramboke in Survey No.185/5 and 109/9 worth of Rs.8,500/-.

3.The learned counsel for the petitioner submitted that the lands in Survey No.109/3A and 109/8 to an extent of 23.50 ares originally belongs to the father of the second petitioner namely Poolaiah Thevar and patta was also issued by the Government.

4.The learned counsel for the petitioner further submitted that the lands were situated in a patta land, however, on wrong assumption, this false complaint has been given against the petitioners. He further submitted that the petitioners are ready to deposit the said amount without prejudice to their right.

5.The learned Government Advocate (crl.side) submitted that the accused have cut and removed 17 palm trees in the Government Poramboke land.
<https://hcservices.ecourts.gov.in/hcservices/>



6. Considering the nature of allegations made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivagiri 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 shall deposit a sum of Rs.8,500/- (Rupees eight thousand five hundred only) to the credit of Cr.No.334 of 2015, on the file of the learned Judicial Magistrate, Sivagiri and they shall appear before the respondent police as and when required. 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/-
18/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
PULIANGUDI POLICE STATION, TIRUNELVELI DISTRICT
- +1. CC to M/S.S.BASKAR MATHURAM Advocate SR.No. 47302.

TS/22.08.2015/2P - 6C KBM/ LIB

ORDER
IN
CRL OP(MD) No.15678 of 2015
Date :18/08/2015