



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

Tuesday, the Third day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.16193 of 2014

1 K.PALPANDI
2 C.RAVI
3 R.KALAVATHI
4 R.SARAVANAN
5 R.RAMAMOORTHY

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT.
CR. NO. 292 OF 2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SUKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

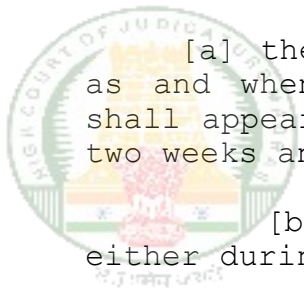
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 448, 294(b), 420, 506(ii) IPC in Crime No.292 of 2014 on the file of the respondent police, seek anticipatory bail.

2.Initially, the matter was sent to Mediation Centre and failure report dated 30.01.2015 has been sent from Mediation.

3. The case of the prosecution is that the petitioners 1 to 3 are the owners of Kalyana Mandapam and that they had given lease to the defacto complainant and during the pendency of the lease, the petitioners 1 to 3 have sold the kalyana mandapam to R.Saravanan the fourth petitioner herein.

4. It is seen that the possession of kalyana mandapam was with the petitioners 1 to 3 herein and they had only borrowed money from the defacto complainant and they are paying interest. Thus the dispute appears to be civil in nature.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for the sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the third petitioner shall report before the respondent police as and when required for interrogation. The petitioners 1,2, 4 and 5 shall appear before the respondent police daily 10:30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
03/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THENI
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.
3. THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT.
4. THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SUKUMAR Advocate SR.No.5215

SR : 06.02.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.16193 of 2014
Date :03/02/2015