



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

Wednesday, the Twenty Sixth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mrs.Justice S.VIMALA
CRL OP(MD) No.16423 of 2015

WEB COPY

1 MARIYAMMAL @ SARASWATHI

2 SEETHALAKSHMI

3 KRISHNASAMY
S/O. NARAYANASAMY,

4 KRISHNASAMY
S/O. SUBBA NAICKER,

... PETITIONER(S) / ACCUSED 1 TO 4

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 662 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.RAMASAMY Advocate

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

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

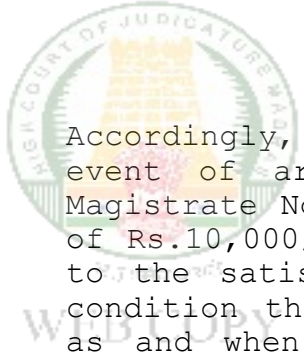
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused 1 to 4 in Crime No. 662 of 2015, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379,294(b), 323 and 506(i) of IPC and hence, seek anticipatory bail.

2.The case of the prosecution is that one pasupathi, wife of Dhanapathi @ Mariyappan, has given a complaint to the respondent stating that her husband is in abroad; she is staying at Pondicherry and studying her Ph.D. Degree; there was a property dispute between her family and the petitioners; On 13.08.2015 at about 3.30.p.m., she went to the house of the petitioners 1 to 3 in order to take her educational certificate where she found a cot, bureau, washing machine, fridge and other kitchen articles missing and when she questioned the petitioners 1 and 2, it is alleged that they threatened to her life and kicked on her stomach, causing body pain. In this regard, the first petitioner has given a complaint against the complainant and a case in Crime No. 663 of 2015 for offence under Sections 294(b), 323 and 506(i) of IPC has been registered.

3. It is also brought to the notice of this Court that paper publication has been effected on behalf of the third petitioner (a copy of which has been filed before this Court), which is dated 16.06.2015 and ~~aggravated over that~~, this complaint is stated to have been given as a counter-blast. It is admitted that nobody has been seriously injured and nobody is under treatment.

4.Considering the stated circumstances, 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 No.II, Kovilpatti, and on each them executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 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.

5. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the order stands suspended.

sd/-
26/08/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN.
- 3 THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S S.RAMASAMY Advocate SR.No.49262

ORDER
IN
CRL OP(MD) No.16423 of 2015
Date :26/08/2015

TS/AMF/SAR-I/26.08.2015/2p/6c