



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

Monday, the Thirty First day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16601 of 2015

1 S.SUBBAIAH

2 S.SANKARA NARAYANAN

..PETITIONERS/ACCUSED 1 AND 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

VASUDEVA NALLUR POLICE STATION,

TIRUNELVELI.

(CR.NO. 217/2015)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S POLAX LEGAL SOLUTION Advocate

For Respondent : MRS.S.PRABHA,

Govt. Advocate (Cr1. 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, were apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 427, 506(i), 468 and 471 of IPC, in Crime No.217 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant, the accused have encroached upon the water channel and mutate the revenue records with fake documents.

3.The learned counsel for the petitioners submitted that the first accused is none other than the maternal uncle of the defacto complainant and the second petitioner is the son-in-law of the first petitioner and he is working as Group I officer. He further submitted that there is no specific allegations against these petitioners. If the defacto complainant has any grievance, he has to approach the Civil Court for remedy and that the complaint is given with ulterior motive to come for settlement before the respondent police.

4.The learned Government Advocate (Cr1.Side) submitted that the petitioners have encroached upon the property of the defacto complainant with a view to grab the properties.



5. Considering the facts, 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 appear before the respondent police two Saturdays and Sundays at 10.00 a.m., and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-
31/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
SIVAGIRI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
VASUDEVA NALLUR POLICE STATION, TIRUNELVELI.

+1. CC to M/S POLAX LEGAL SOLUTION Advocate SR.No.50304

Akm/01.09.2015 /2p-6c/

ORDER
IN
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Date :31/08/2015