



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

Wednesday, the Ninth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17511 of 2015

1 V. THANDAPANI

***2 G. KRISHANA KUMAR**

... PETITIONERS / ACCUSED

(RANK NOT KNOWN)

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KODAIKKANAL POLICE STATION,
DINDUGAL DISTRICT.
(CRIME NO. 390 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.CHELLAPANDIAN Advocate

For Respondent : MRS.S.PRABHA Govt. 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, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 427, 447 and 506(ii) of I.P.C., in Crime No.390 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 14.08.2015, the petitioners along with others trespassed into the de-facto complainant's property and demolished a compound wall.

3.The learned counsel for the petitioners submitted that the second petitioner is the owner of the house in S.No.21136/13 at Vilpatti Village in Kodaikanal and the de-facto complainant is the neighbour and in respect of pathway, a suit has been filed before the District Munsif Court, Kodaikanal and the same is pending. He further submitted that the second petitioner is a care taker and both of them have been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl.side) appearing for the State.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Kodaikanal 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 daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation. 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/-
09/09/2015

***AMENDED AS PER ORDER OF THIS HON'BLE
COURT DATED 23.09.2015 AND MADE
IN MP(MD)1 OF 2015 IN CRL OP(MD)No. 17511 OF 2015**

Heard both sides.

2.This amendment petition is ordered.

3. Considering the facts and circumstances of the case, further time of two weeks is granted for furnishing sureties.

23.09.2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE, KODAIKANAL

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT

3 THE INSPECTOR OF POLICE, KODAIKANAL POLICE STATION,
DINDUGAL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S S.CHELLAPANDIAN Advocate SR.No.56225

ORDER
IN
CRL OP(MD) No.17511 of 2015
Date :09/09/2015

AM/11.09.2015/2P/6C

TS/28.09.2015/2P - 6C

SK/SAR -I