



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

Wednesday, the Fourth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) Nos.1826 and 1827 of 2015

WEB COPY

1 CHINNA THEVAR
2 RASAMMAL
3 SUNDARI
4 SANTHI
5 RAMESH

... PETITIONERS/ACCUSED 1 TO 5
IN CRL OP(MD).1826 OF 2015

1.POMURAJ
2.PAVUNRAJ

... PETITIONERS/ACCUSED 6 & 7
IN CRL OP(MD).1827 OF 2015

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
CR. NO.30/2015.

... RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.VEERA KATHIRAVAN Advocate
IN CRL OP(MD).1826 OF 2015

M/S.N.SATHISH KUMAR, Advocate
IN CRL OP(MD)1827 OF 2015

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)
IN BOTH CASES

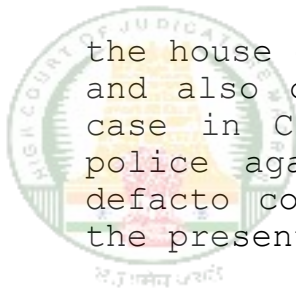
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 294(b) and 506(i) I.P.C. in Crime No. 30 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. This case has been registered pursuant to the direction issued by this Court in Crl.O.P.(MD)No.412 of 2015 for offence under Sections 143, 294(b) and 506(i) I.P.C. Pavunraj (second petitioner in Crl.O.P.(MD)No.1827 of 2015) had lodged a complaint against the present defacto complainant on 24.12.2014, as they trespassed into



the house of the said Pavunraj and demolished a part of the property and also caused damage to household articles. In this regard, a case in Cr.No.277 of 2014 has been registered by the respondent police against the defacto complainant. It is stated that the defacto complainant party have engineered the present case against the present petitioners as counter blast.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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, Uthamapalayam, Theni District, on condition that each of the petitioner shall execute 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 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 petitioners shall report before the respondent police 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 Judicial 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 petitioners released on bail by the learned Judicial 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/-

04/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, THENI DISTRICT
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE THENI DISTRICT
 - 3 THE INSPECTOR OF POLICE RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
 - 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.VEERA KATHIRAVAN Advocate SR.No.3578

ORDER IN

CRL OP(MD) No.1826 & n 1827 of 2015

Date :04/02/2015