



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

Tuesday, the Sixth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18811 of 2015

1 P. PONNAMBALAM
2 T. RAJA PRATHAB
3 P. KALAI PAPA
4 C. NATRAJAN
5 P. SAROJA

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO. 55 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S P.T.RAMESH RAJA 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 465, 468, 471 and 420 of I.P.C. in Crime No.55 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, he purchased 31.50 cents in S.No.207/2 from one Tamilrajan and even before his purchase, the accused and his vendor have entered into an agreement to form a road in S.Nos.207/4 & 207/2 and as per agreement, the pathway has to be used by both of them and it should not be given to third party. Whiles, the accused by receiving huge amount from a third party and permitting them to use the pathway.

3.The learned counsel for the petitioner submitted that the petitioners are innocent and they have been falsely implicated in this case and it is further submitted that the dispute between the accused and the de-facto complainant are purely civil in nature and if there is any violation of the agreement, he has to approach only the competent civil Court and the present complaint has been lodged against the accused to settle the dispute before the respondent police.



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 No.I, Nagercoil 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/-
06/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.

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

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.58806

Akm/08.10.2015 /2p-6c/

ORDER
IN
CRL OP (MD) No.18811 of 2015
Date :06/10/2015