



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

Monday, the Fifth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19131 of 2015

1 PETCHIMUTHU @ CHELLADURAI
2 RAMESH

..PETITIONERS/ACCUSED NOS.2 AND 3

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
CHOKKAMPATTY POLICE STATION,
THIRUNELVELI DISTRICT.
CR. NO.204 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S P.T.THIRAVIAM 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 Nos.2 & 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353 and 506(i) of IPC, in Crime No.204 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused have taken a sand without proper permission and when it was questioned, the accused threatened the defacto complainant with dire consequences and prevent him from discharge his official duty.

3.The learned counsel for the petitioners submitted that the case is registered on the basis of the complaint given by the Village Administrative Officer and when he stopped the Tractors bearing registration No.TN 76 Q 6356 and TN 76 M 9680, the drivers of the Tractors did not stop the vehicles and alleged to have abused the defacto complainant with filthy language.

4.The learned counsel for the petitioners further submitted that the petitioners are innocent persons and they have been falsely implicated in this case and the red soil was transported with proper permission and therefore, the offence under Section 379 IPC is not included in this case. It is further submitted that accused No.1 was arrested and remanded to judicial custody.

<https://hcservices.ecourts.gov.in/hcservices/>
5.The learned Government Advocate (Crl.side) submitted that the petitioners have no bad antecedents.



6. 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, Tenkasi 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. 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/-

05/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
TENKASI.

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
CHOKKAMPATTY POLICE STATION,
THIRUNELVELI DISTRICT.

+1. CC to M/S P.T.THIRAVIAM Advocate SR.No.58374

Akm/06.10.2015 /2p-6c/

ORDER

IN

CRL OP(MD) No.19131 of 2015

Date :05/10/2015