



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.20087 of 2014

1 GURUSAMY
2 MARIYAMMAL
3 PADALAM AMMAL
4 LAKSHMI
5 ARUMUGAM

... PETITIONERS/ACCUSED 1 TO 5

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE
THENI POLICE STATION, THENI DISTRICT.
CR. NO.639/2014. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.SARAVANAN Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

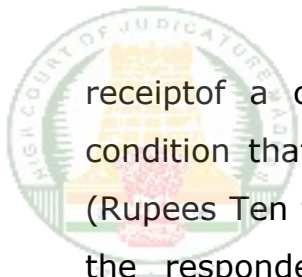
ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,448,294(b),506(ii) and 379(NP)IPC in Crime No.639 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Head the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the State. The Investigating Officer is also present in this Court

3. This case has been registered on the direction of this Court. It is seen that the defacto complainant was a tenant under the 4th petitioner herein and he had vacated the premises and gone. Now, it is alleged by the defacto complainant that the 4th petitioner has forcibly taken possession of the property. It is seen that the dispute is essentially one between the tenant and the landlord.

4. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners. 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, Theni, 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 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 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/-
06/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, THENI
2 THE CHIEF JUDICIAL MAGISTRATE, THENI
3 THE SUB INSPECTOR OF POLICE, THENI POLICE STATION, THENI
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SARAVANAN Advocate SR.No.547

ORDER
IN
CRL OP(MD) No.20087 of 2014
Date :06/01/2015

AA/12.01.2015/2p- 6c/