



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

Tuesday, the Twenty Seventh day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20470 of 2015

1 W. SHYJU
2 WILLIAM

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KALIYAKKAVILAI P.S.
(IN CR.NO. 473/2015)

... RESPONDENT/ COMPLAINANT

M.JACOB

... INTERVENOR

For Petitioner : M/S M.CHELLAPANDIAN Advocate

For Respondent : MS.S.PRABHA, Govt. Advocate (CrI. Side)

For Intervenor : Mr.S.SIVAKUMAR, Advocate

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 offences punishable under Section 447, 294(b), 323, 324 and 506(ii) IPC in Crime No.473 of 2015 on the file of the respondent Police and hence, seek anticipatory bail.

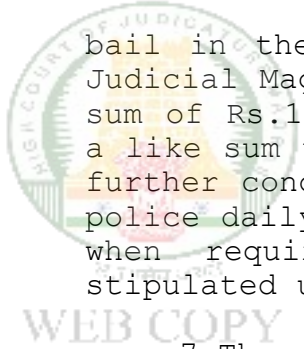
2.The case of the prosecution is that on 17.10.2015 the accused trespassed into the house of the de facto complainant and damaged trees and also threatened him with dire consequences.

3.The learned counsel for the petitioners submitted that the de facto complainant is a practising Advocate at Kulithurai and due to property dispute, a false complaint has been given against them.

4.The learned counsel for the intervenor vehemently opposed the anticipatory bail petition stating that the de facto complainant purchased the property from the brother of the 2nd accused and the petitioners without having any right have trespassed into the property of the de facto complainant and also attacked him with lethal weapons.

5.The learned Government Advocate (CrI.side) appearing for the respondent Police submitted that injured has been discharged from the hospital and due to civil dispute, this occurrence had taken place.

<https://hcservices.courts.gov.in/hcservices> Considering the facts and circumstances of the case, 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, Valliyur, 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 am 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 Court 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/-
27/10/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYUR.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.
- 3 THE INSPECTOR OF POLICE, KALIYAKKAVILAI P.S.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.CHELLAPANDIAN Advocate SR.No.62558
+1cc to Mr.S.SIVAKUMAR, Advocate SR.No.62520

ORDER
IN
CRL OP(MD) No.20470 of 2015
Date :27/10/2015

NS/JGB/SAR I/28.10.2015 : 2P/7C