



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

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20606 of 2015

1 BASKARAN
2 SHANTHI
3 DHARMAR @ DHARMARAJ
4 GRESSMARY
5 YOWAN SAVARIMUTHU
6 JOSPHIN MARY

... PETITIONERS/ ACCUSED NOS.1 TO 6
Vs

STATE REP BY
THE INSEPECTOR OF POLICE
C-5, KARIMDU POLICE STATION,
MADURAI,
(CRIME NO.826 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S V.KARUNA Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

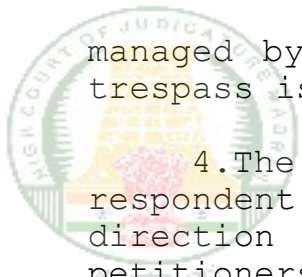
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A6 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 448, 294(b), 427, and 506(i) of IPC, in Crime No.826 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant that as per the Will executed by his father, he was managing the property. While so, on 08.07.2015 at 7.15 p.m, the accused trespassed into the house of the de-facto complainant with wooden log and knife and abused him in filthy language and thereafter, broke open the lock of the Shop No.6 and caused damage.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the de-facto complainant is none other than the brother of A1 and the petitioners are having share in the property



managed by the de-facto complainant. Therefore, the allegation of trespass is not made out in this case.

4.The learned Government Advocate (Criminal side) for the respondent submitted that the case was registered based on the direction of this court in Crl.O.P(MD)No.13943 of 2015 and the petitioners have no bad antecedents.

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.V. Madurai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two common sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 1, 3 and 5 shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required and the petitioners 2, 4 and 6 shall appear before the respondent police 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/-
28/10/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.V, MADURAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSEPECTOR OF POLICE
C-5, KARIMDU POLICE STATION, MADURAI,
+1. CC to M/S V.KARUNA Advocate SR.No.63546
RL/6 C- 30/10/2015

ORDER
IN
CRL OP(MD) No.20606 of 2015
Date :28/10/2015