



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

Thursday, the Twenty Ninth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20764 of 2015

M. GOVINDAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
(CR.NO. 221 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.BALAMURUGAN 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 :-

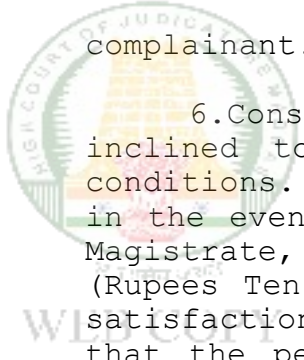
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 447, 294(b), 379(NH) and 506 IPC and Section 4 of TNWH Act, in Crime No.221 of 2015 on the file of the respondent Police and hence, seeks anticipatory bail.

2.According to the de facto complainant that on 15.07.2015 the accused trespassed into the property of the de facto complainant and caused damaged to Tamarind trees, Mango trees and Palm trees and thereby caused damage to the tune of Rs.10 lakhs and also established a brick-line.

3.The learned counsel for the petitioner submitted that the de facto complainant is none other than the sister of the petitioner and in the year 2005 Mrs.Ponnammal, who is the mother of the petitioner and the de facto complainant has leased out the property to the de facto complainant for a period of 10 years and the lease period will come to an end on 21.11.2015.

4.It is further submitted that the lessor ie the mother of the de facto complainant died and the petitioner went to the disputed property to take possession and therefore, a false complaint was given against him.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police vehemently opposed the anticipatory bail petition and contended that the accused have caused huge damage to the de facto



complainant.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sivagiri, and on 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 petitioner shall appear before the respondent police daily at 10.00 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner 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/-
29/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE
SIVAGIRI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S P.BALAMURUGAN Advocate SR.No.63603.

ORDER
IN
CRL OP(MD) No.20764 of 2015
Date :29/10/2015

AM/02.11.2015/GSV.PM/SAR-1/2P/6C