



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Sixth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) Nos.20821 and 20822 of 2015

WEB COPY

1 L. PERUMAL

2 RAJARAM

3 VETRIVENDAN

4 ARUNPRAKAS

... PETITIONERS / ACCUSED 1 - 4

IN CRL OP(MD)NO.20821/2015

1 RAJAMANI

2 SELVI @ ASTA SELVI

3 ARUNA

4 THILAK

5 AYYAVOO

6 RAJENDRAN

7 RAJAMOHAN@ RAJMOHAN

8 SEKAR

9 BOOMIRAJ@ BOOMI

10 RAVI

... PETITIONERS/ACCUSED NO.6-15

IN CRL OP(MD). 20822/ 2015

Vs

THE STATE REP.BY

THE INSEPECTOR OF POLICE

NATHAM POLICE STATION,

DINDIGUL DISTRICT,

IN CR.NO.616 OF 2015

... RESPONDENT / COMPLAINANT IN BOTH THE CASES.

For Petitioner : M/S.K.AJMALKHAN Senior counsel for

M/S G.RAVI SANKAR Advocate,

IN CRL OP(MD)NO.20821/2015

For Petitioner : M/S.K.AJMALKHAN Senior counsel for

M/S.JANA ALIAS B.JANATH AHMED

IN CRL OP(MD). 20822/ 2015

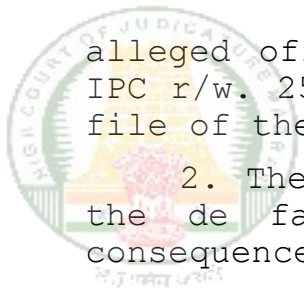
For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

IN BOTH THE CASES.

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

ORDER : The Court Made the following order :-

<https://hcservices.courts.gov.in/hcservices/>
the petitioners, who are arrayed as accused Nos.1 to 4 and 6 to 15, apprehend arrest at the hands of the respondent police for the



alleged offences punishable under Sections 147,148,506(ii), 307 of IPC r/w. 25(1-B) of Indian Arms Act, in Crime No.616 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners went to the de facto complainant's land and threatened him with dire consequences with gun.

3. The case of the petitioners is that the de facto complainant is trying make out a criminal case in respect of a civil dispute and the respondent police hand in glove with him with malafide intention roped the entire family by foisting a false case. It is submitted by the learned senior counsel appearing for the petitioners that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case and this is a case counter blast for the complaint given by the first petitioner and prayed for anticipatory bail in favour of the petitioners. He further submitted that the petitioner / A9 in CrI.O.P(MD).No.20822 of 2015 is studying B.D.S., at Ultra Medical College, Madurai.

4. In the counter affidavit filed by respondent police stated that the accused Nos.1 to 4 are involved in more than one previous case viz., A1-3 cases, A2-2 cases, A3-4 cases, A4 - cases respectively in the present case investigation is at the preliminary stage and several witness have to be examined in order to unearth the real facts of the case.

5. The learned Government Advocate (CrI. Side) has submitted that A4 /4th petitioner in CrI.O.P(MD).No.20821 of 2015, by using the gun threatened the de facto complainant with dire consequences. A5 was arrested and is in judicial custody. No one is injured in the incident and there is case and counter case.

6.Considering the facts and circumstances of the case and no one is injured and there is case and counter case this Court is inclined to grant anticipatory bail to the petitioners 1 to 3 in CrI.O.P(MD).No. 20821 of 2015 (A1 to A3) and petitioners in CrI.O.P (MD).No.20822 of 2015 (A6 to A15) with certain conditions. Accordingly, the they are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Natham 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 1 to 3 in CrI.O.P(MD). No.20821 of 2015 and the petitioners 5 to 10 / A10 to A15 in CrI.O.P (MD).No.20822 of 2015 shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners 1 to 4 in CrI.O.P(MD).No.20822 of 2015 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. In respect of the 4th petitioner / Arunprakash, in the CrI.O.P(MD)NO.No.20821 of 2015 is dismissed.



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8. 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/-

06/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
NATHAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSEPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S G.RAVI SANKAR Advocate SR.No.65339

+1 CC to M/S.JANA @ B.JANATH AHMED, Advocate, SR No. 65338

ORDER
IN

CRL OP (MD) Nos.20821 and 20822 of 2015

Date :06/11/2015

RG.AAL-MPA/SAR-II 20.11.2015 3P.7C.