



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23269 of 2015

1 ARUMUGAM
2 RASU
3 TAMIL ALAGAN
4 MATHIYALAGAN

... PETITIONERS/ ACCUSED NO.1 TO 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PALAYANOOR POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 123 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S C.SURESH KANNAN Advocate

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

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

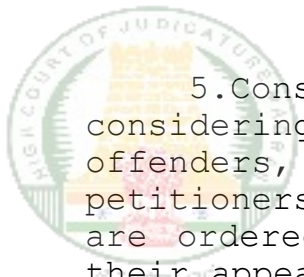
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 4, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 379 of IPC, in Crime No.123 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that there is a civil dispute between the petitioners and the defacto complainant for the past 15 years. Due to the dispute, the petitioners cut down the Karuvelan trees belonging to the defacto complainant worth about Rs.5,000/-. Therefore, the case has been registered for the above said offence.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that due to the civil dispute between the petitioners and the defacto complainant, the petitioners cut down the Karuvelan trees belonging to the defacto complainant. He further submitted that the petitioners are not the habitual offenders.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are not the habitual offenders, 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, Manamadurai 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 1,3 & 4 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 second petitioner 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.

6. 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/-
08/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MANAMADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
PALAYANOOR POLICE STATION,
SIVAGANGAI DISTRICT.

+1. CC to M/S C.SURESH KANNAN Advocate SR.No.70093

ORDER
IN
CRL OP(MD) No.23269 of 2015
Date :08/12/2015

RG.JGB-DP/SAR-II 09.12.2015 2P.6C