



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3222 of 2015

1 GANESAN
2 ULAGESWARI
3 NERHU @ JAWHARLAL NERHU
4 ESAKKI RANI
5 THANGAM @ KARUPPIAH

..PETITIONERS/ACCUSED 1 to 5

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
SIVAGIRI POLICIE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 37 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.RAMASAMY Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b) and 506(i) IPC in Crime No.37 of 2015 on the file of the respondent police, seek anticipatory bail.

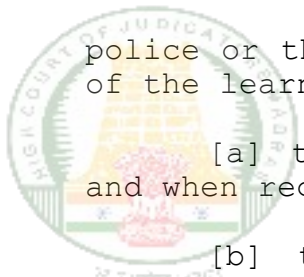
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. This case has been registered pursuant to the direction issued by this Court in Crl.O.P.(MD) No.1145 of 2015 on 30.01.2015. The defacto complainant in this case is a land owner and it is alleged that in connection with a lease between the first petitioner and the defacto complainant, dispute arose in which these petitioners are alleged to have abused the defacto complainant in filthy language.

4. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

5. The learned Government Advocate (Crl.side) submits that there are no previous antecedents as against these petitioners.

6. Taking into consideration the fact that there are no previous case against these petitioners and the dispute essentially appears to be between the lessor and the lessee, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sivagiri, Tirunelveli District, on condition that each of the petitioner shall execute 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 respondent



police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
23/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TIRUNELVELI DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE SUB INSPECTOR OF POLICE, SIVAGIRI POLICIE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S.R.RAMASAMY Advocate SR.No.8179

ORDER IN
CRL OP(MD) No.3222 of 2015
Date :23/02/2015

PBK 25/02/2015 ::2P-6C: