



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

Thursday, the Twenty Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3410 of 2015

1 GANESAN
2 PANDIYAN
3 JEYARAJ

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
G.VILLAKU POLICE STATION, THENI DISTRICT.
CR.NO. 41 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.BALAJI Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. 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 294(b), 109, 506(i) and 427 I.P.C. in Crime No. 41 of 2015 on the file of the respondent police, seek anticipatory bail.

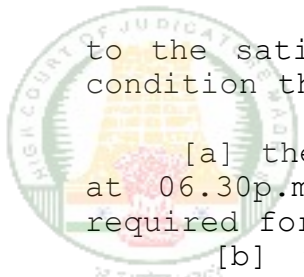
2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. This case has been registered pursuant to a direction issued by this Court in Crl.O.P.No.2732 of 2015 on 20.02.2015. It is alleged by the defacto complainant that these petitioners had entered into the cattle shed belonging to the defacto complainant and had caused damage to it. The defacto complainant and the petitioners are neighbours and there appears to be several civil disputes between them.

4. The learned Government Advocate(Crl.Side) would submit that there is no previous against the petitioner.

5. Taking into consideration the fact that the alleged offence is said to have been taken place as early as on 04.02.2014 and there is no previous case against the petitioner, this Court is inclined to grant Anticipatory Bail to the petitioners herein.

6. 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, Andipatti, Theni District, on condition that each of the petitioners 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 daily at 06.30p.m. for a period of two weeks and thereafter 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 Judicial 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 Judicial 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]**.

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the first petitioner is complying with the order or not.

sd/-
26/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
ANDIPATTI, THENI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.

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

4.THE INSPECTOR OF POLICE
G.VILLAKU POLICE STATION, THENI DISTRICT.

+1. CC to M/S.S.BALAJI Advocate SR.No.8966

ORDER
IN
CRL OP(MD) No.3410 of 2015
Date :26/02/2015

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