



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.3482 of 2015

R.SAKTHIVEL

... PETITIONER/ACCUSED (RANK NOT KNOWN)

WEB COPY

Vs

THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.90 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.EZHILARASU FOR MR.D.ANANDAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506 (ii) I.P.C. in Crime No.90 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner, the learned Government Advocate(Crl.Side) and the learned Counsel for the intervenor.

3. The defacto complainant had sent this complaint by post and pursuant to the direction given by this Court in Crl.O.P.No.1365 of 2015, this case has been registered.

4. According to the learned Counsel for the intervenor, the defacto complainant is aged about 60 years and is being disturbed by the petitioner and his family members repeatedly since 2010 and there are several cases filed by one against the other.

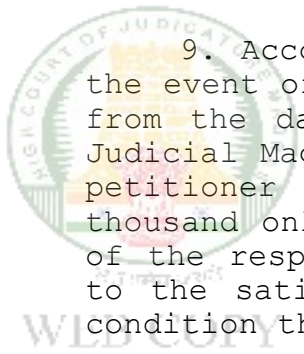
5. As far as the allegation in this case is concerned, it is alleged that on 20.01.2015 at 08.00a.m., this petitioner and their family members threatened the defacto complainant with dire consequences and they were also armed with knives and weapons.

6. It appears that there is a dispute between the parties in the village over a property and there are cases filed by one against other

7. The learned Government Advocate(Crl.Side) would submit that no one sustained injury in the alleged occurrence.

8. Considering the facts and circumstances of the case and also considering the fact that no one sustained injuries, this Court is

<https://hcmrecords.in/hcmrecords/> Anticipatory Bail to the petitioner.



9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vedachandur, Dindigul District on condition that 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 petitioner shall report before the respondent police daily at 05.30p.m. for a period of two weeks and thereafter as and when required for interrogation.

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.)

TO

1. THE JUDICIAL MAGISTRATE, VEDACHANDUR, DINDIGUL DISTRICT.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
3. THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ANAND Advocate SR.No. 9113
+1cc to MR.D.ANANDAN, ADVOCATE IN SR : 8954

SR : 02.03.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.3482 of 2015
Date :26/02/2015