



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

Thursday, the Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5342 of 2015

1 YOGARAJ
2 PRAVEEN
3 SUKUMARAN @ SUGAN RAJA
4 THULASIRAMAN
5 MURUGESAN
6 RAVICHANDRAN
7 KALAMEGAM
8 PANDI

... PETITIONERS / ACCUSED 1 TO 8

MAHARAJAN

...INTERVENER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI DT,
CRIME NO.113/2015

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.ANAND FOR M/S.T.VADIVELAN Advocate

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

For Intervener : MR.C.SHANMUGHASUNDARAM FOR,
MR.JAGADEESWARAN,ADVOCATE

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

ORDER : The Court Made the following order :-

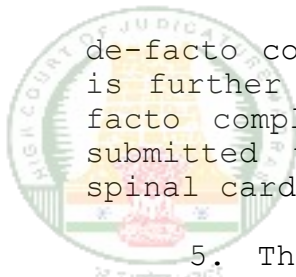
The petitioners, who are arrayed as accused Nos.1 to 8, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 447, 324 and 506(ii) of I.P.C., in Crime No.113 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, the petitioners attempted to murder the de-facto complainant by dashing their car with the two wheeler of the de-facto complainant.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence and due to civil dispute, they have been falsely implicated in this case. It is further submitted that the suit in O.S.No.195 of 2007 filed by the de-facto complainant claiming exclusive right over the path way was dismissed by the trial Court.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Mr.Jegadeeshwaran, learned counsel for the intervenor submitted that against the judgment and decree passed in O.S.No.195 of 2007, the



de-facto complainant has preferred an appeal and the same is pending. It is further contended that the accused with an intention to kill the de-facto complainant caused grievous injury. The learned counsel further submitted that the de-facto complainant has sustained injury on the spinal card.

5. The learned Government Advocate (Crl.side) submitted that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case, 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, Melur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with common surety for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 1 to 7 shall appear before the respondent police daily at 10.00 a.m. and 5.00 p.m. until further orders and the 8th petitioner being a student, he shall appear before the respondent police daily at 6.00 p.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
09/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE MELUR.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4.THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI DISTRICT.

+1cc to MR.R.ANAND, ADVOCATE IN SR NO. 18350
+2. CC to M/S.T.VADIVELAN Advocate SR.NoS.18000 & 18190
+1cc to MR.R.JAGADEESWARAN, ADVOCATE IN SR NO. 18190

ORDER
IN
CRL OP(MD) No.5342 of 2015
Date :09/04/2015

RG.15/04/2015 2P/9C.