



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

Wednesday, the Eighth day of April Two Thousand Fifteen

PRESENT

WEB COPY

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.6454 of 2015

1 IMMANUVEL  
2 SARAMMA  
3 RAMANI  
4 STELLA AMMA  
5 SEETHA  
6 MOISON  
7 JAMES

... PETITIONERS 1 TO 7 /  
ACCUSED NOS.1 TO 7

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
KOLLAMCODE POLICE STATION,  
KANYAKUMARI DISTRICT.  
CRIME NO.67/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN, Advocate

For Respondent : M/S.K.V.RAJARAJAN, 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 7, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 452, 294(b), 379(NP), 323, 147, 148 and 427 of I.P.C. in Crime No.67 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that on 22.11.2014, the petitioners have trespassed into the property of the de-facto complainant and caused damage worth about Rs.50,000/-.

3. The learned counsel for the petitioners submitted that there was a civil dispute pending between the petitioners and the de-facto complainant which necessitated the petitioners to institute a suit against the de-facto complainant in O.S.No.127 of 2014. The learned counsel for the petitioners further submitted that in I.A.No.260 of 2014, the Principal District Munsif, Kuzhithurai had granted interim injunction and eventually the suit was decreed on 24.11.2014. It is further submitted that the petitioners have also approached this Court by filing Crl.O.P.(MD).No.268 of 2015 seeking police protection which was also ordered and the petitioners have been falsely implicated in this case.



4. The learned Government Advocate (Crl.side) submitted that the petitioners have trespassed into the property of the de-facto complainant and caused damage worth about Rs.50,000/-.

5. 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 No.II, Kuzhithurai 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, 6 and 7 shall appear before the respondent police daily at 10.00 a.m. for period of two weeks and thereafter as and when required and the other petitioners 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/-

08/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI @ NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, KOLLAMCODE POLICE STATION,  
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.R.SREENIVASAN, Advocate SR.No.17701.

ORDER IN

CRL OP(MD) No.6454 of 2015

Date :08/04/2015

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