



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Third day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7770 of 2015

1 V.PUSHPAM

2 MOOKKAN

..PETITIONERS/ACCUSED 8 & 19

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

SINDHUPATTI POLICE STATION, USILAMPATTI,

MADURAI DIST.

(IN CRIME NO. 40/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.SELVAM Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Criminal Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A8 and A19, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 323, 324 and 506(ii) of I.P.C @ 120(b), 149, 302 r/w Section 4 of TNWH(Prevention) Act, in Crime No.40 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

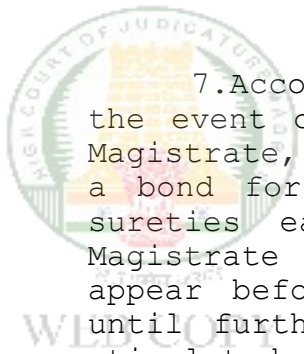
2.The case of the prosecution is that there is a land dispute exists between the family of A1 and the de-facto complainant and on 13.03.2015, when the compromise talks were going on in the presence of Panchayadars, the accused persons have attacked one pandiyarajan and caused his death and they have also attacked the supporters of the de-facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have nothing to do with the dispute between A1 and the de-facto complainant and they have only participated in the panchayat and the overt act attributed against the petitioners is that they have attacked the witnesses with stick and aruval.

4.The learned counsel further submitted that the injured were treated as outpatient.

5.The learned Government Advocate (Crl.side) appearing for the respondent submitted that A1 and A2 have attacked the deceased and caused his death and the petitioners have attacked the de-facto complainant's side witnesses and the injured were taking treatment as outpatient.

6.Considering the facts and circumstances of the case and also considering the fact that the main accused have already been secured and remanded to judicial custody and the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.



7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thirumangalam, Madurai District 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 shall appear before the respondent police daily at 10.00 a.m and 05.00 p.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

23/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

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, SINDHUPATTI POLICE STATION, USILAMPATTI, MADURAI DIST.

+1CC to M/s. J. SELVAM, Advocate in SR.21506

ORDER IN

CRL OP(MD) No.7770 of 2015

Date : 23/04/2015

PBK/IV 28/04/2015 :: 2P-6C: