



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

Monday, the Twenty Seventh day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7899 of 2015

ANISHA

... PETITIONER/ ACCUSED No.2

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT, CRIME NO.229/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.ROBINSON Advocate

For Respondent : M/S.K.V.Rajarajan Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

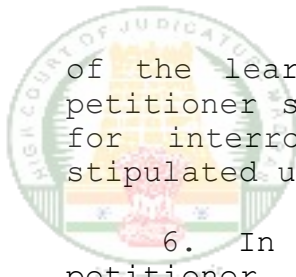
The petitioner who is arrayed as A2 apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 341,294(b), 506(ii), 448 and 427 of IPC in Crime No.229 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the accused who are tenant under the de facto complainant had trespassed into the property of the de facto complainant and damaged the lock.

3. The learned counsel for the petitioner submitted that there is a dispute between the de facto complainant and the accused and therefore, RCOP.Nos. 11 and 77 of 2012 are pending before the Rent Controller. The learned counsel further submitted that the tenants have deposited the entire arrears of rent to the Credit of above said RCOPs and they have no objection for withdrawal of amounts, by the wife of de facto complainant. It is further submitted that the first accused was already arrested and released on bail.

4. Heard the learned Government Advocate (Crl. Side) would submit the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused has already released on bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate-IV, Thirunelveli and on 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. In view of the submission of the learned counsel for the petitioner, the landlady / P.Murugammal is permitted to withdraw the amount deposited by the tenant lying in the credit of RCOP.Nos.11 and 77 of 2012 respectively

7. The petitioner 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/-
27/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.IV, TIRUNELVELI.
- 2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE RENT CONTROLLER, PRINCIPAL DISTRICT MUNSIF, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION, TIRUNELVELI DISTRICT.
- 6 SMR. P.MURUGAMMAL, W/O. SRI PARAMASIVAN,
D.NO. 95, SALAI STREET, VANNARPETTAI, TIRUNELVELI 627 003.

+1. CC to M/S.A.ROBINSON Advocate SR.No.22401.

TS/29.04.2015/2P-8C

ORDER
IN
CRL OP(MD) No.7899 of 2015
Date :27/04/2015