



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

Friday, the Fifteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.11795 of 2016

1 GANESAN
2 RAMALAKSHMI
3 NARESH KUMAR

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY. THE INSPECTOR OF POLICE
SOUTH POLICE STATION, RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT, CR NO. 444/16. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.MURUGAPPAN Advocate
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

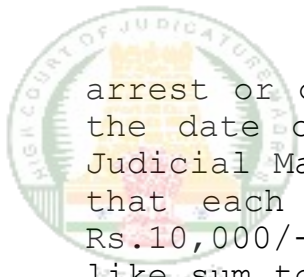
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 448, 453 and 506(i) of IPC in Crime No.444 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners trespassed into the house of the defacto complainant and broke open the house and abused him in filthy language and also criminally intimidated him. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that no one has sustained injury and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of



arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District on condition that each of 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 petitioners 1 and 3 shall report before the respondent police daily at 10.00 am until further orders and the second petitioner being a lady shall appear before the respondent Police as and when required for interrogation.

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

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned 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].

sd/-

15/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
SOUTH POLICE STATION, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT,
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.MURUGAPPAN Advocate SR.No.36790

ORDER

IN

CRL OP(MD) No.11795 of 2016

Date :15/07/2016

AASKS-RR/SAR-III/20.07.2016/2P-6C/