



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

Thursday, the Eleventh day of August Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.14545 of 2016

1 ALAGAI AH  
2 KALI AMMAL  
3 PALKARASU  
4 RAVICHANDRAN  
5 RAJU  
6 VAIRAVAN  
7 MUNIAPPAN

... PETITIONERS/ACCUSED RANK 1 TO 7

Vs

STATE THROUGH  
THE INSPECTOR OF POLICE  
THIRUVEGAMPET POLICE STATION,  
SIVAGANGAI DISTRICT.  
(CRIME NO.117 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAYAPERUMAL Advocate

For Respondent : Mr.P.KANNITHEVAN, Government 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 offences punishable under Sections 147, 294(b), 419, 420, 448, 467, 471 and 506(ii)IPC, in Crime No.117 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant, has filed O.S.No.31 of 2016 before the learned District Munsif, Devakottai, on behalf of the Sirvanur village, as a representative of the said village. While so, on 04.04.2016, at about 8.00 a.m., the defacto complainant was standing near the disputed property in question in the Suit, at Siruvannur village, the accused persons came and abused him in filthy language and threatened him to withdraw the civil case filed against the petitioners. On complaint, a case has been registered for the above said offences against the petitioners.



3.The case of the petitioners is that the defacto complainant has given a false complaint and no such occurrence took place on the said date. So far as the disputed land, the petitioners also filed a civil suit in O.S.No.160 of 2014 before the very same Court. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that on receiving the complaint, a case has been registered and the investigation is pending. 5.Considering the nature of allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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, Devakottai, on condition that each of the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-  
11/08/2016

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



TO

1 THE JUDICIAL MAGISTRATE  
DEVAKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE  
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE  
THIRUVEGAMPET POLICE STATION, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MAYAPERUMAL Advocate SR.No.43726

ORDER

IN

CRL OP(MD) No.14545 of 2016

Date :11/08/2016

SH/SS-3/SAR-I:19.08.2016:3P/6C