



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

Wednesday, the Twenty Fourth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15622 of 2016

1 BALASUBRAMANI
2 LOGANATHAN

... PETITIONERS/ACCUSED 1 & 4

Vs

THE STATE REP.BY
THE SUB INSPECROR OF POLICE
KEERANUR POLICE STATION,
DINDIGUL DISTRICT,
CR. NO.214/2016

... RESPONDENT / COMPLAINANT

SELVI

... PETITIONER/INTERVENOR

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

For Intervenor : M/S.M.NAGALAKSHMI, Advocate

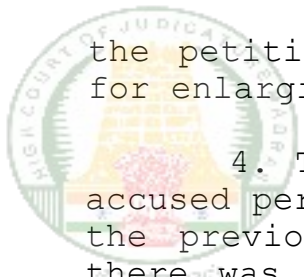
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused were arrested and remanded to judicial custody on 23.05.2016 for the alleged offences punishable under Sections 147,447,427,294(b) and 506(ii) of IPC @ 147,447, 294(b) and 506(ii) of IPC and Section 3 of the TNPPDL Act, in Crime No.214 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that due to land dispute, on 24.07.2016 at 6.00 pm the accused and others unlawfully assembled themselves and came to the place of occurrence i.e Farm House of defacto complainant and abused her in filthy language and damaged the farm house and agricultural articles wroth RS.9,000/- and threatened them with dire consequences. On complaint, a case has been registered against the petitioners.

3.The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that due to the civil dispute, a case is pending before the Sub Court, Palani. He further contended that the co-accused have already deposited a sum of Rs.9,000/- and



the petitioners are in judicial custody from 24.07.2016 and prays for enlarging the petitioners on bail.

4. The learned counsel for the intervenor submitted that the accused persons and the defacto complainant are relatives and due to the previous enmity between both parties, for the past 12 years there was no contact between them. While so, on 24.07.2016, the accused persons trespassed into the land and damaged the hut worth Rs.9,000/- and prayed for dismissal of this petition.

5. Heard the learned Government Advocate (Crl. Side).

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 24.07.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Palani.
- (ii) the petitioners shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial.
- (v) 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].

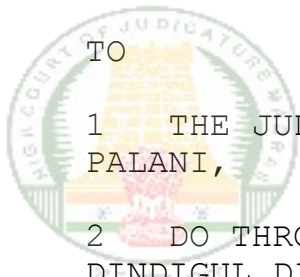
6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl side), as to whether the petitioners are complying with the condition or not.

sd/-

24/08/2016

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE,
PALANI,

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, PALANI.

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

5 THE SUB INSPECROR OF POLICE
KEERANUR POLICE STATION, DINDIGUL DISTRICT,

+1. CC to M/S.D.VENKATESH Advocate SR.No.47005.
+1CC to M/S.M.Nagalakshmi, Advocate, SR.No. 47032

ORDER

IN

CRL OP (MD) No.15622 of 2016

Date :24/08/2016

AM/GSV.PM/SAR-I/24.08.2016/3P/8C