



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

Monday, the Nineteenth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.16918 of 2016

1 ALAGARSAMY
2 SHANMUGAVALLI
3 HARIHARAN

... PETITIONERS/ACCUSED NOS.A1 TO A3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
Y.OTHAKADAI POLICE STATION,
MADURAI DISTRICT,
(CRIME NO. 439 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.RAJAPRABHU Advocate
For Respondent : M/S.A.P.BALASUBRAMANI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

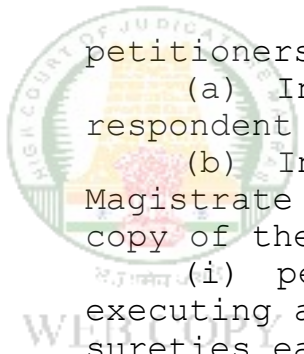
Petitioners, who are arrayed as accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 120(b), 387 r/w 4(b) TN Open Places Prevention of Disfigurement Act, 1959 in Crime No.439 of 2016 on the file of the respondent police.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

3.The learned counsel for the petitioners submitted that due to civil dispute a false complaint has been given against the petitioners. He further submitted that a suit in O.S.No.131 of 2016 between the petitioners and the de facto complainant is pending before the District Munsif Court, Madurai.

4.Learned Government Advocate (Crl. Side) submits that investigation is almost completed.

5.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the



petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate No.I, Melur, within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall report before the respondent police as and when required.

sd/-

19/09/2016

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, MELUR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

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

4.THE INSPECTOR OF POLICE
Y.OTHAKADAI POLICE STATION,
MADURAI DISTRICT,

+1. CC to M/S.S.RAJAPRABHU Advocate SR.No.54197
RL/6C/2P/SKS/RR/SARI/22/9/2016