



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

Wednesday, the Fifth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19140 of 2016

1 RAIKANA BEGUM

2 FAROOK ABDULLAH

... PETITIONERS / ACCUSED-1 & 3

Vs

THE SUB INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

(CRIME NO.331 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.JANAKIRAMULU Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

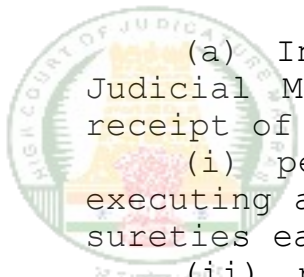
Petitioners/accused Nos.1 & 3, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 147, 379, 294(b) and 506(i) and 427 of IPC in Crime No.331 of 2016 on the file of the respondent police.

2.The case of the prosecution is that the petitioners illegally trespassed into the house of the defacto complainant, by breaking open the door and had stolen gas cylinder and household articles inside her house.

3.Learned Government Advocate (Crl. Side) would submit that this is a case of case and counter. The petitioners are having no previous case and in both the case, no injury has been reported on either side.

4. Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case.

5. On consideration of the facts and circumstances of the case and also considering the fact that no injury has been reported on either side, 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 Judicial Magistrate, Kodaikanal, 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 them from disclosing such facts to the Court or to any Police Officer;

(iii) petitioner No.2 shall appear before the respondent police daily at 10.00 a.m until further orders. The first petitioner being a lady, she shall appear before the Jurisdictional Court once in a week I.e on every Monday at 10.30 a.m until further orders.

sd/-

05/10/2016

/ TRUE COPY /

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

VS

TO

1 THE JUDICIAL MAGISTRATE, KODAIKANAL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT

3 THE SUB INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT.

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

+1. CC to M/S.V.JANAKIRAMULU Advocate SR.No.59671

GJM/DB/SAR-I-18.10.16-2P-6C

ORDER

IN

CRL OP(MD) No.19140 of 2016

Date : 05/10/2016