



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

Thursday, the Tenth day of November Two Thousand Sixteen

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PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21318 of 2016

1 RAMUTHEVAR

2 SUNDARI

3 SANTHI

... PETITIONERS/ACCUSED Nos.1,2 & 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT
CR. NO 82 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.R.LAXMAN Advocate

For Respondent : MRS.S.PRABHA, 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 the offence punishable under Sections 147, 435, 294(b) and 506(i) IPC in crime No.82 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the de facto complainant and the petitioners are neighbours. The waste water from the house of the de facto complainant was let into the entrance of the petitioners' house and that a dispute arose between them. Due to which, the petitioners set fire on the vaikol of the de facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that no one sustained injury and investigation is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also taking note of the fact that no one 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 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District, on condition that 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners are directed to deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of Crime No.82 of 2016 on the file of the respondent Police.

[b]the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

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

[e]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/-
10/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
 - 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE, PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT
- +1. CC to M/S.K.R.LAXMAN Advocate SR.No.68589.

ORDER
IN

CRL OP (MD) No.21318 of 2016
Date : 10/11/2016