



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

Friday, the Third day of June Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.5610 of 2016

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... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY THE INSPECTOR OF POLICE
TALUK POLICE STATION,DINDIGUL DISTRICT,
CR NO. 169 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.BOOPATHY PANDIAN Advocate

For Respondent : MR.K.ANBARSAN Govt. Advocate (Crl. Side)

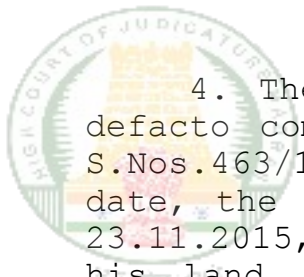
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148, 294(b), 379,427, 506(ii) and 465 of IPC in Crime No.169 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 25.03.2016, the petitioner along with other accused created forged document and trespassed into the land belonging to one Shri Raja Rajeswari Enterprises. Defacto complainant is the Manager of the Company. On 13.02.2016, when the defacto complainant was in the land, the petitioner and others trespassed into the land and threatened him with dire consequences and tried to snatch away the documents from the defacto complainant. On 24.03.2016, again the petitioner and others threatened the defacto complainant with dire consequences and demolished the Motor Room and damaged the Motors worth Rs.25,000/- and also removed the trees from the land. On complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the defacto complainant has previously given a complaint for the same of cause of action and the same has been registered in Crime.No.86 of 2016 for the offences under Sections 341,323 and 506 (i) of IPC and this Court has also granted anticipatory bail to the petitioner in Crl.O.P(MD).No.3857 of 2016, dated 04.03.2016.



4. The learned counsel for the intervenor submitted that the defacto complainant, Manager of the Company purchased the land in S.Nos.463/1-C and 447/3, measuring an extent of 65 cents, from that date, the company is in possession and enjoyment of the same. On 23.11.2015, when the defacto complainant doing renovation work in his land, all the accused persons came with deadly weapons and demanded the petitioner by illegal force by saying the land is belong to them and tried to attack the defacto complainant with deadly weapons.

5. The learned Government Advocate (Crl.Side) submitted that the investigation of the case is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the accused was already granted anticipatory bail by this Court in Crl.O.P(MD).No.3857 of 2016 dated 04.03.2016 for the same cause of action, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Dindigul and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., and 5.00 pm until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

03/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, DINDIGUL
 - 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
 - 3 THE INSPECTOR OF POLICE
TALUK POLICE STATION, DINDIGUL DISTRICT
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S M.BOOPATHY PANDIAN Advocate SR.No.27819

ORDER

IN

CRL OP(MD) No.5610 of 2016

Date : 03/06/2016