



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

Thursday, the Twenty Sixth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.6730 of 2016

1 RAMESH
2 ARUN

... PETITIONERS/ACCUSED 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI CITY.
CR. NO.573/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.K.MANICKAM Advocate

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

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

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

ORDER : The Court Made the following order :-

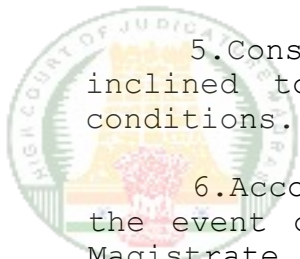
The petitioners, who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 447 and 506(i) IPC in Crime No.573 of 2016 on the file of the respondent police hence, seek anticipatory bail.

2.The case of the prosecution is that on 16.04.2016, the petitioners trespassed into the property of the de facto complainant and cleaned the land by using Tractor and JCB and when the same was questioned by the de facto complainant, the petitioners threatened him with dire consequences.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and a false case has been foisted against them.

4.Heard the learned Government Advocate (Crl.side) appearing for the State.

5.The learned counsel for the intervenor submitted that the 1st accused is facing criminal case in Crl.A.No.9 of 2014 before the I Additional District Court, Madurai and also a case in C.C.No.1725 of 2013 before the 18th Metropolitan Magistrate Court, Saidapet, Chennai. He further submitted that the petitioners are habitual offender and several previous cases are pending against in various courts and hence, he prayed for the dismissal of this petition.



5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai, and on his 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 petitioners shall appear before the concerned court on every working day at 10.30 a.m., and 4.45 p.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners 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.

8.It is made clear that if the petitioners fail to comply with the condition as stipulated above by this Court, the respondent police is directed to move an application for cancellation of anticipatory bail before this Court immediately.

sd/-
26/04/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

4 THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION, MADURAI CITY.

+1. CC to M/S A.K.MANICKAM Advocate SR.No.23804.
+2CC to M/S.S.RAMESH, Advocate, SR.No. 23922.

ORDER
IN
CRL OP(MD) No.6730 of 2016
Date :26/04/2016

AM/GSV.PM/SAR-I/03.05.2016/2P/8C