



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

Thursday, the Sixteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9110 of 2016

1 RAJALINGAM @ RAJAN
2 SINDHUVEL
3 SELVA LAKSHMI

... PETITIONERS/ACCUSED No.2 to 4

Vs

THE STATE REPRESENTED BY
SUB INSPECTOR OF POLICE,
EATHAMOZHI POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO. 138 OF 2016.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S L.GEORGE PAUL ANTO, ADVOCATE
FOR RESPONDENT : MR.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 to 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 295, 427, 506(ii) of IPC, in Crime No.138 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

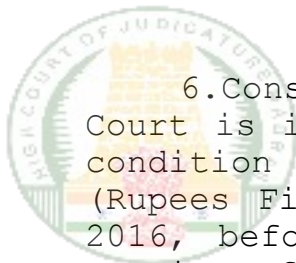
2.The case of the prosecution is that the petitioners along with other accused trespassed into the property of the defacto complainant and damaged Sudalai Madasamy Temple Peedam worth Rs.1,00,000/-. On complaint, case has been registered for the above said offences.

3The case of the petitioners is that that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Due to previous enmity between the defacto complainant and the petitioners' family with regard to conducting temple festival, a false case has been foisted against the petitioners.

4.The learned counsel for the petitioners submitted that petitioners are ready and willing to deposit a sum of Rs.5,000/- each.

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

5.Heard the learned Government Advocate (Crl.Side).



6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall deposit a sum of Rs.5000/- (Rupees Five thousand only) each to the credit of Crime No.138 of 2016, before the learned Judicial Magistrate No.III, Nagercoil on receipt of the same the petitioners are entitled to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Nagercoil 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 petitioners 1 & 2 shall appear before the respondent police daily at 10.30 a.m., until further orders and the third petitioner shall appear before the respondent police as and when required. 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.

sd/-
16/06/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3. THE SUB INSPECTOR OF POLICE,
EATHAMOZHI POLICE STATION,
KANYAKUMARI DISTRICT,

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

+1. CC to M/S L.GEORGE PAUL ANTO Advocate SR.No. 31071

ORDER
IN
CRL OP(MD) No.9110 of 2016
Date :16/06/2016