



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9354 of 2016

VIJIN

... PETITIONER/ACCUSED No.4

Vs

STATE REP BY THE INSPECTOR OF POLICE
THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO. 199/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.P.NARAYANAKUMAR Advocate
For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

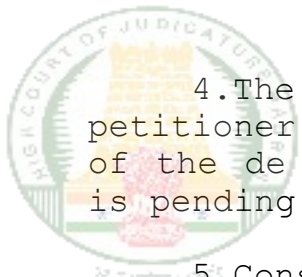
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 448, 506(ii) IPC and Section 3(i) of TNPPDL Act read with Section 4 of Woman Harassment Act, in Crime No.199 of 2016, on the file of the respondent police and hence seeks anticipatory bail.

2.The case of the prosecution is that due to pathway dispute between the de facto complainant and the accused Nos.1 and 2, on 17.05.2016 at about 09.45 p.m., all the accused persons joined together and trespassed into the house of the de facto complainant with weapons and caused damages to the household articles of the de facto complainant and nearby houses. When the de facto complainant questioned about the same, the accused persons threatened him and neighbours with dire consequences.

3.The learned counsel for the petitioner submitted that there was a civil dispute between the accused Nos.1 and 2 and the defacto complainant and the petitioner is only the friend of the first accused and he is an innocent person and he has not committed any offence as alleged by the prosecution. The accused Nos.5 and 7 were already granted anticipatory bail by this Court vide order dated 06.06.2016 made in Crl.O.P(MD)No.8557 of 2016.



4.The learned Government Advocate(Crl.side) submitted that the petitioner along with other accused damaged the household articles of the de facto complainant worth about Rs.55,000/-. Investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is only the friend of the first accused and accused Nos.5 and 7 were already granted anticipatory bail by this Court vide order dated 06.06.2016 made in Crl.O.P(MD)No.8557 of 2016, 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, Padmanabhapuram 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 petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.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/-
15/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM
3 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL
3 THE INSPECTOR OF POLICE
THIRUVATTAR POLICE STATION, KANYAKUMARI DISTRICT
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.P.NARAYANAKUMAR Advocate SR.No.30698

ORDER
IN
CRL OP(MD) No.9354 of 2016
Date :15/06/2016

AA/SK-SKN/SAR-I/20.06.2016/2p-6c