



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

Thursday, the Tenth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10439 of 2017

1 V.SELVAM @ CHINNAULAGU
2 MRS.ARUMUGATHAMMAL @ ARUMUGA LAKSHMI
3 S.ATHI MOOLAM
4 S.KARTHIK ... PETITIONERS / ACCUSED NO.1 to 4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION,
VEERAVANALLUR, THIRUNELVELI DISTRICT.
CRIME NO. 210 OF 2017 ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.POOVANALINGAM Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

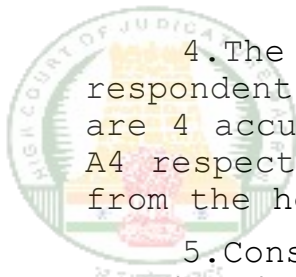
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 447, 294 (b), 323, 324 and 506(ii) of IPC in Crime No.210 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that there was a land dispute between the de facto complainant and the accused herein. The 1st petitioner is said to have attacked with hands and pushed down the paternal uncle of the de facto complainant and also punched on his nose; The 2nd petitioner is said to have trespassed into the land of the de facto complainant and abused with filthy language; 3rd petitioner is said to have attacked with iron rod on the thumb and index finger of the hand of the paternal uncle of the de facto complainant and on the forehead of the defacto complainant; 4th petitioner is said to have kicked the defacto complainant on his back.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not at all committed any offence as alleged in the compliant and there is a civil dispute in respect of the said land is existing between the petitioners and the paternal uncle of the de facto complainant.



4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the totally there are 4 accused in this case and the petitioners are arrayed as A1 to A4 respectively. He also submitted that the injured was discharged from the hospital and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that, injured was discharged from the hospital, this Court is 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 on which the order copy is made ready, before the learned Judicial Magistrate, Seranmathevi, Tirunelveli 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 shall report before the respondent Police daily at 10.30 a.m. for a period of three weeks.

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

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

[d]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/-
10/08/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, SERANMATHEVI, TIRUNELVELI DISTRICT.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
VEERAVANALLUR, THIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.POOVANALINGAM Advocate SR.No.28538

ORDER IN
CRL OP(MD) No.10439 of 2017
Date :10/08/2017