



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

Monday, the Eighteenth day of September Two Thousand Seventeen

PRESENT

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

WEB COPY

CRL OP(MD) No.11516 of 2017

1 KATHAR SULTHAN
2 SEYNUL ARABHU
3 KAJABEEVI
4 FATHIMA

... PETITIONERS/ACCUSED NO.1 to 4

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.209 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.L.PRABAKARAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor.

For Intervenor : MR.S.M.A.JINNAH, Advocate

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 452, 294(b), 323, 379 and 506(ii) of IPC in Crime No.209 of 2017 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute the petitioners entered into the house of the de facto complainant and attacked him with stick and also threatened him with dire consequences.

3. The learned counsel appearing for the petitioners states that petitioners are no way connected with the occurrence and they were wrongly implicated in this case. He would further submit that both the petitioners and the de facto complainant are close relatives and they have not committed any such offence as alleged by the prosecution.

4. The learned counsel appearing for the intervenor states that the 1st petitioner herein is said to have strangled the neck of the de facto complainant and the chain was found missing in the said occurrence.

5.The learned Additional Public Prosecutor appearing for the



respondent, on instructions, would submit that there are totally 4 accused in this case and the petitioners herein arrayed as A1 to A4 respectively. He would further submit that the injured was treated as outpatient and the investigation is still pending.

6. Considering facts and circumstances of the case and also the fact that injured was treated as out patient and that both the petitioners and the de facto complainant are close relatives, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Mudukulathur and on each of them 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 and 4 shall appear before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation on receipt of summons and the third petitioner shall appear before the respondent Police as and when required for interrogation on receipt of summons, since he is aged about 87 years. 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

18/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR, RAMANATHAPURAM DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.PRABAKARAN Advocate SR.No.30915

ORDER

IN

CRL OP(MD) No.11516 of 2017

Date : 18/09/2017

PK/CM-MSA/SAR-1/21.09.2017 : 2P/6C