



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

Thursday, the Twelfth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13791 of 2017

1 MICHEAL ROSY
2 VELSHA
3 JESINTHA

... PETITIONERS / ACCUSED NO.1,4 & 6
Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VIJAYANARAYANAM POLICE STATION, TIRUNELVELI DISTRICT,
CR NO. 151/2017 ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.R.ANBARASU 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 :-

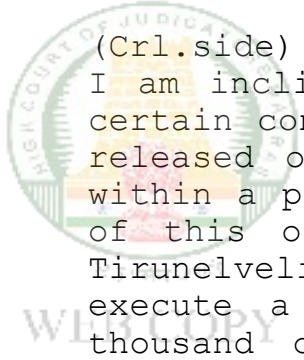
The petitioners, who are arrayed as Accused Nos.1, 4 and 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 447, 379(NH) of I.P.C., and Section 4 of TNPWH Act, in Crime No.151 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner has purchased the residential house of the defacto complainant and there was a dispute with regard to the purchase of the property, out of which the petitioners attacked the defacto complainant by using their hand and stick and abuse her with filthy language. As a result, the defacto complainant sustained injuries and admitted in the hospital. On complaint, a case has been registered for the aforesaid offences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that it is purely civil dispute and the case has been filed against them in order to wreck vengeance.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured person was discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side) that the injured person was discharged from the hospital, I am 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, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Nanguneri, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the first petitioner/A1 shall report before the All Women Police Station, Nanguneri, Tirunelveli District, on every Sunday at 10.30a.m., for a period of four weeks and the second and third petitioners/A4 and A6 shall report before the All Women Police Station, Nanguneri, Tirunelveli District, daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(ii) the petitioners shall report before the respondent police as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-
12/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VIJAYANARAYANAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, NANGUNERI, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.ANBARASU Advocate SR.No.32817

ORDER IN
CRL OP(MD) No.13791 of 2017
Date :12/10/2017