



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

Friday, the Twentieth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13993 of 2017

1 ANTONY RAJ,
2 THANISLASS
3 NITHIRAJEN

... PETITIONERS / ACCUSED Nos.2,3 & 5

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.151 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SELVAKUMAR Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

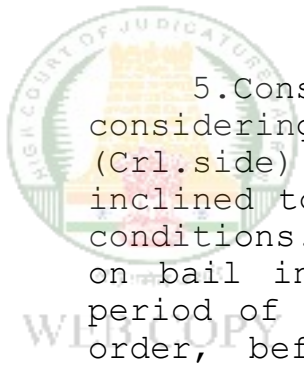
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2, 3 & 5 apprehend arrest at the hands of the respondent police for the offences punishable under Section 147, 294(b), 323, 447, 379(NH) IPC and Section 4 of TNPHW 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 accused has purchased the house of the defacto complainant in which she is residing. On 27.09.2017, the petitioners and three others trespassed into the above house and threw away the things in the house. Thereafter, the petitioners attacked the defacto complainant. Accordingly, the defacto complainant sustained injuries. Aggrieved over the same, the defacto complainant filed a compliant before the respondent police.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

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 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 learned 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 each 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 petitioners shall report before the Vijayanarayanam Police Station, weekly once, i.e., every Sunday at 10.00 p.m for a period of four weeks and thereafter, as and when required for interrogation;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (iv) 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 and the bail granted stands cancelled automatically.

sd/-
20/10/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
NANGUNERI, TIRUNELVELI DISTRICT

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT



3 THE INSPECTOR OF POLICE,
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

WEB COPY

+1. CC to Mr.S.R.ANBARASU Advocate SR.No.32998

JAM/25.10.17/PM-PN/SAR 2/ 3p-6c

ORDER

IN

CRL OP (MD) No.13993 of 2017

Date :20/10/2017