



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15231 of 2017

DURAI

... PETITIONER /SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO. 449/2017.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.BANUPRASATH Advocate

For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

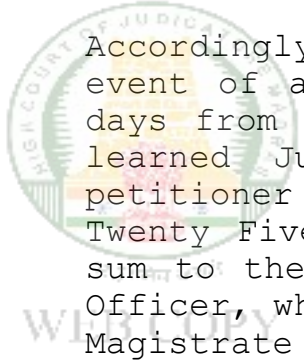
The petitioner herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 447, 294(b), 506(ii) I.P.C., in Crime No. 449 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a civil dispute between the petitioner and the defacto complainant for enjoyment of the disputed property. The petitioner along with other accused trespassed into the property of the defacto complainant, thereby, the defacto complainant questioned the same, the petitioner abused the defacto complainant and threatened him with aruval and knife.

3.The learned counsel for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and he is no way connected with the alleged occurrence. The petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that no one sustained injury in this case and investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that no one sustained injury, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sengottai, on condition that the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks, thereafter as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not abscond either during investigation or trial.

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

(v) 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 anticipatory bail granted stands cancelled automatically.

sd/-

09/11/2017

/ TRUE COPY /

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

MSA

TO

1 THE JUDICIAL MAGISTRATE, SENGOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE, COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT,

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

+1. CC to M/S.P.BANUPRASATH Advocate SR.No.34196

GJM/CM/SAR-1-13/11/2017-2P-6C

ORDER

IN

CRL OP (MD) No.15231 of 2017

Date : 09/11/2017