



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

Monday, the Twentieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15771 of 2017

1 V.MAHESWARAN

2 C.KANNAN

... PETITIONERS / ACCUSED RANK NOS.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION,
TUTICORIN DISTRICT,
CRIME NO.94 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.MARIA VINOLA Advocate

For Respondent : GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

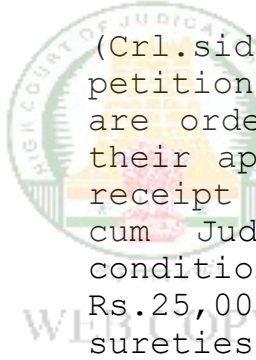
The petitioners, who are arrayed as Accused Nos. 1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 448 and 506(i) of IPC and Section 3(1) of Prevention of Damage to Public Property Act, 1984 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.94 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 01.11.2017, in the absence of the defacto complainant's husband, the petitioners came to the defacto complainant house and abused her in filthy language and broke the chair, radio and her house roof tiles and threatened the defacto complainant and her family with dire consequences. Thereby, the defacto complainant lodged a complaint against the petitioners before the respondent police.

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

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation has been completed.

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



(Crl.side), 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 District Munsif Court cum Judicial Magistrate, Vilathikulam, Tuticorin 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 petitioners shall report before the respondent police daily at 10.00 a.m, for a period of four weeks, 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 themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioner shall not abscond either during investigation or trial;

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

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

20/11/2017

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VILATHIKULAM, TUTICORIN DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MASARPATTI POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.MARIA VINOLA Advocate SR.No.34715