



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.15780 of 2017

1 PRABAKARAN
2 SEKAR
3 MUTHURAKKU
4 SONAIMUTHU

... PETITIONERS / ACCUSED Nos.2 to 5

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
IN CRIME NO.733 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.M.MARAN 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 :-

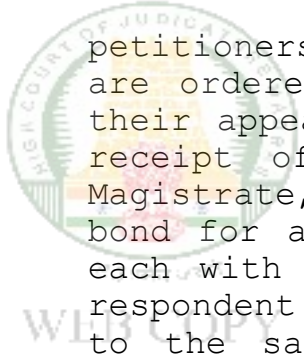
The petitioners, who are arrayed as Accused Nos. 2 to 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 427 and 506(i) of IPC and Section 4 of TNPWH Act, in Crime No.733 of 2017 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 06.11.2017, the defacto complainant's mother in law and her husband were doing Kanja business in their area. Hence, the petitioners and other villagers made a complaint against the defacto complainant's husband and mother in law regarding the kanja business. Due to the previous motive, the defacto complainant lodged a false complaint against the petitioners.

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 reiterated the prosecution as above and has no objection to grant anticipatory bail to the petitioners.

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 learned Judicial Magistrate, Melur, 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, 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 not abscond 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 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/-
20/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE ,
MELUR, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3 THE SUB INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to Mr.M.MARAN Advocate SR.No.34705

JAM/27/11.17/CM-VR/SAR 2 / 2P-6C