



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

Tuesday, the Twenty First day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15855 of 2017

1 O.KARTHIK PRABAHARAN
2 U.KULANTHAIVELU

... PETITIONER/A1 & A3

Vs

THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKOTTAI DISTRICT.
(CRIME NO.325 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.R.VENKATESHWAR Advocate

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

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

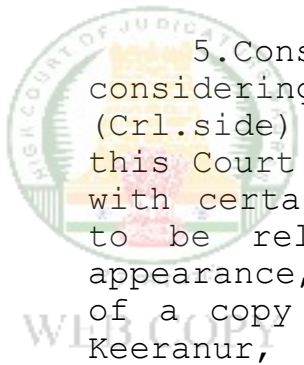
ORDER : The Court Made the following order :-

The petitioners/Accused nos.1 and 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 341 and 188 of I.P.C., in Crime No.325 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners and defacto complainant belong to same political party. Now they divide each other, the petitioners damaged the defacto complainant's flexboard. Aggrieved by the same, the defacto complainant made a complaint before the respondent police, thereby the law enforcing agency registered a complaint against these petitioners.

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. He would further submit that there was a rival dispute in between the parties, thereby, the law enforcing agency foisted a false case against these petitioners.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that he is not in a position to ascertain, whether the flexboard erect is authorised one. However, he vehemently opposed for granting 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) since the petitioners did not commit any serious offence, this Court is 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, Keeranur, Pudukottai 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 respondent police as and when required;

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

(iii) 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 anticipatory bail granted stands cancelled automatically.

sd/-
21/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KEERANUR, PUDUKKOTTAI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI
- 3 THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.VENKATESHWAR Advocate SR.No.34845

ORDER
IN
CRL OP(MD) No.15855 of 2017
Date :21/11/2017