



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

Thursday, the Twenty Third day of November Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.16060 of 2017

1 MUNIYANDI  
2 GURUVAMMAL  
3 MUTHU KUMAR

... PETITIONERS/ ACCUSED NO.1 TO 3  
Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
WATRAP POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
CRIME NO.438 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.P.JESSI JEEVA PRIYA, Advocate  
For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

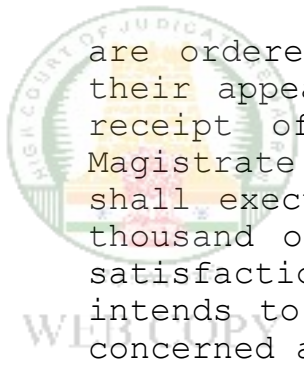
The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 447, 506(ii) of I.P.C., and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.438 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 07.11.2017, due to property dispute, the petitioner along with other accused trespassed into the defacto complainant's property and disconnected the water connection and threatened the defacto complainant with aruval, thereby defacto complainant gave a complaint 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 accused no.4 is still in judicial custody and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), 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 No.I, Srivilliputhur, 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/A1 and A3 shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks. The petitioner/A2 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 make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (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/-  
23/11/2017

/ TRUE COPY /

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

TO

- 1. THE JUDICIAL MAGISTRATE NO.I, SRIVILLIPUTHUR.
- 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3. THE INSPECTOR OF POLICE,  
WATRAP POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.JESSI JEEVA PRIYA Advocate SR.No.34964

ORDER IN  
CRL OP(MD) No.16060 of 2017  
Date :23/11/2017