



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

Monday, the Twenty Seventh day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16260 of 2017

1 SUDALAIKANNU, S/O.VANUMAMALAI
2 SUDALAIKANNU, S/O.MADAKANNU
3 KANDASAMY

... PETITIONERS / ACCUSED 2,4 & 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.316 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

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

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

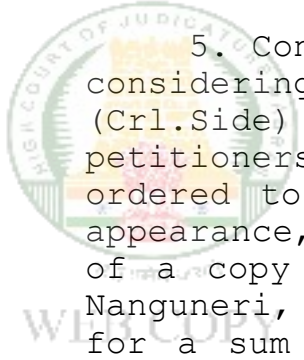
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused No.2, 4 & 6, apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 435 of I.P.C., and Section 3(1) of the TNPPDL Act, 1992 in Crime No.316 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 16.10.2017, while the defacto complainant was staying in his farm land, the accused came there and scolded him by using filthy language and therefore he ran away from the place due to fear. On his return along with his villagers, he found the Banana plants were damaged and were set fire. Therefore, the complaint was lodged by the defacto complainant and the case has been registered by the respondent police against the petitioners.

3.The learned counsel for the petitioners states that the petitioners are an innocent person and they have not committed any offences as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that the matter has been amicable settled between the parties.



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 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, Nanguneri, 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 daily 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 himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not abscond either during investigation or trial;
- (v) the petitioners 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 petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

27/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, BNANGUNERI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.35196

ORDER IN

CRL OP(MD) No.16260 of 2017

Date :27/11/2017