



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

Thursday, the Thirtieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.16481 of 2017

1 V.SOUNDDRAPANDI ALIAS SOUNDA RAJAN,
2 S. SUBBULAKSHMI
3 V. VENKATASAMY

... PETITIONERS/ACCUSED Nos.2,3&5

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
NILAKOTTAI TALUK,
DINDIGUL DISTRICT.
CRIME NO. 474/2017.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.R.PANDI MAHARAJA Advocate

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

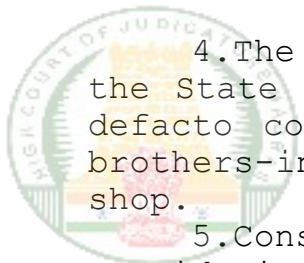
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2, 3 and 5, apprehend arrest at the hands of the respondent police for an offence punishable under Sections 147, 148, 294(b), 436 and 506(ii) of I.P.C., in Crime No.474 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the second wife of A1. On 29.07.2017, at about 02.00 a.m., when A1 was sleeping in the defacto complainant's house with her children, the petitioners, who are the brothers of the first wife came there and abused the defacto complainant using filthy language and set fire to the defacto complainant's petty shop, which is in front of her house and caused damages. On complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. Due to some misunderstanding, the defacto complainant gave a false complaint against the petitioners. Hence, they prayed for anticipatory bail.



4. The learned Government Advocate (Criminal side) appearing for the State submitted that due to family dispute between A1 and the defacto complainant, she gave a complaint against the A1 and his brothers-in-law and they damaged the defacto complainant's petty shop.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal 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, Nilakkottai, Dindigul 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 1 and 3 shall report before the All Women Police Station, Nilakkottai, Dindigul District, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(ii) the second petitioner shall appear before the All Women Police Station, Nilakkottai, Dindigul District, as and when required for interrogation;

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

(iv) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioners shall not abscond either during investigation or trial;

(vi) the petitioners shall not commit any offence while on bail;

(vii) 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/-

30/11/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI, DINDIGUL DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE, BATLAGUNDU POLICE STATION,
NILAKOTTAI TALUK, DINDIGUL DISTRICT

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

+1. CC to M/S.R.PANDI MAHARAJA Advocate SR.No.35424

ORDER

IN

CRL OP (MD) No.16481 of 2017

Date : 30/11/2017

PK/RR/SAR-4/06.12.2017 : 3P/6C