



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

Tuesday, the Twelfth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17086 of 2017

1 MAKKAN
2 CHINNA KARUPPAN
3 RAMAN
4 ALAGUCHINNAMMAL
5 MOOKKAMMAL
6 VELLAYAMMAL

... PETITIONERS/A1 TO A6

Vs

THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT
(CRIME NO.337 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.P.SENGUTTU ARASAN Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

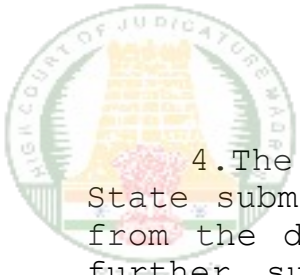
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 506(ii) and 379 I.P.C., in Crime No.337 of 2017 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are close relatives. The petitioners herein stolen the six tons of mangoes from the defacto complainant's farm land. Accordingly, the defacto complainant lodged a complaint against the petitioners herein before the respondent police.

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 the civil dispute between the petitioners and the defacto complainant, in order to wreck vengeance, the defacto complainant filed a false complaint against the petitioners. However, the learned counsel for the petitioners submitted that he would abide any condition imposed by this Court.



4.The learned Government Advocate (Crl.side) appearing for the State submitted that the petitioners have stolen 6 tons of mangoes from the defacto complainant's farm land, worth about 75,000/-. He further submitted that investigation is almost completed and he requested the Court to impose some stringent condition to the petitioners herein.

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.III, Dindigul, 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 are directed to deposit a sum of of Rs.30,000/- (Rupees thirty thousand only) to the credit of Crime No.337 of 2017 before the Judicial Magistrate No.III, Dindigul without prejudice to their defence and contentions before the trial Court and thereafter the learned Magistrate shall accept the sureties furnished by the petitioner.

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

(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;

sd/-

12/12/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO III
DINDIGUL

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION, DINDIGUL DISTRICT

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

+1. CC to M/S.P.SENGUTTU ARASAN Advocate SR.No.36168

ORDER

IN

CRL OP (MD) No.17086 of 2017

Date :12/12/2017

msa

SH/RR/SAR-4:19.12.2017:3p/6c