



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

Thursday, the Twenty First day of December Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17470 of 2017

1 ALAGUMALAI
2 MADHANRAJ
3 MAHARAJA
4 VALARMATHI
5 THENMOZHI
6 GURUVAMMAL
7 MUTHUPANDI
8 RENITA
9 SAMUTHIRAM
10 MALAISAMY

... PETITIONER/ACCUSED No.1 to 10

Vs

THE STATE REP. BY ITS
THE SUB INSPECTOR OF POLICE
KADUPATTI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.362/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.MUTHU GANESA PANDIAN Advocate

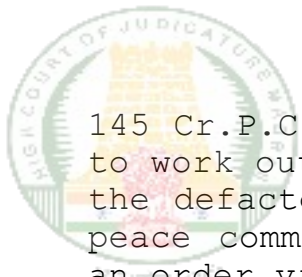
For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

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.1 to 10, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 448, 323 and 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.362 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a civil dispute in respect of construction of house between the petitioners' family and the defacto complainant. Thereby, the petitioners attacked the defacto complainant and due to which, the defacto complainant sustained injuries and admitted in the hospital. Hence, the defacto complainant lodged a complaint before the respondent police and thereafter, the revenue official initiated proceedings under Section



145 Cr.P.C and directed the petitioners and the defacto complainant to work out their remedy in manner known to law. The petitioners and the defacto complainant appeared before the Tahsildar to attend the peace committee meeting and subsequently, the Tahsildar has passed an order vide ந.க.எண். ஆ3/425/2017 dated 08.12.2017.

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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. He would further submit that proceedings under Section 145 Cr.P.C. were initiated against the petitioners and the Tahsildar has issued a direction to solve their problem in the manner known to law and hence, they prayed for anticipatory bail.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that the injured was discharged from the hospital.

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 Magistrate Court, T.Vadipatti, 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, 2, 3, 7, 9, 10 shall report before the respondent police, daily at 10.30 p.m., for a period of two weeks, and thereafter, as and when required for interrogation;

(ii) the petitioners 4, 5, 6, 8 shall report before the respondent police, 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/-
21/12/2017

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

TO

- 1 THE MAGISTRATE COURT,
T.VADIPATTI
 - 2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
 - 3 THE SUB INSPECTOR OF POLICE
KADUPATTI POLICE STATION, MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.K.MUTHU GANESA PANDIAN Advocate SR.No.36731

ORDER
IN
CRL OP(MD) No.17470 of 2017
Date :21/12/2017

Mrn
SH/RR/SAR-1:22.12.2017:2p/6c