



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

Wednesday, the Eighteenth day of January Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.209 of 2017

1 KALEESWARI
2 ULAGAMMAL
3 MALLIKA

... PETITIONERS / ACCUSED Nos.3 to 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VATCHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.396/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR, Advocate

For Respondent : MR.P.KANDASAMY, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 341, 353 and 506(i) IPC in Crime No.396 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to land dispute, the petitioners along with other accused threatened the de facto complainant, who is a Revenue Inspector.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners were standing at the time of occurrence.

4.The learned Government Advocate (Crl.side) submitted that totally there are 5 accused and co accused were enlarged on bail by the concerned Judicial Magistrate and investigation is pending.

5.Considering the facts and circumstances of the case and considering the fact that co accused were enlarged on bail, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in



the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned **Judicial Magistrate No.I, Virudhunagar**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioners shall not abscond either during investigation or trial.

[d]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 as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-

18/01/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR @ SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE, VATCHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.JEYAKUMAR, Advocate SR.No.2955.

ORDER IN
CRL OP(MD) No.209 of 2017
Date :18/01/2017

msm-mpa/sar1/25.01.17/p2/6c