



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

Wednesday, the Fifth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3878 of 2017

1 MITHILAINATHAN
2 RAMESH
3 MUTHUKUMAR

... PETITIONERS/ACCUSED NO.1,2 & 4

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO.208 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SELVA Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

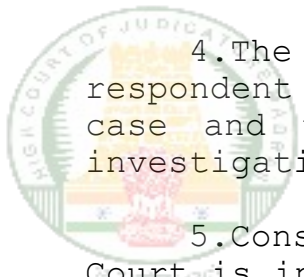
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1, A2 and A4 in Crime No.208 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 447, 427, 379 and 506(ii) IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioners submitted that it is alleged in the complaint that due to land dispute, the petitioners illegally removed the fencing put up in the disputed land. He would further submit that the petitioner is the subsequent purchaser of the property. When the petitioners tried to construct building in the disputed property, the defacto complainant prevented the petitioners from constructing the building and hence, they lodged a complaint against the defacto complainant and the same is still pending. As a counter blast to the said complaint, the present false complaint has been lodged by the defacto complainant. The petitioners have not committed any offence as alleged in the complaint.



4.The learned Government Advocate appearing for the respondent / Police submitted that the A5 has been arrested in this case and that the petitioners are A1, A2 and A4 and that the investigation is pending.

5.Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate, Paramakudi and on each executing 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 learned Magistrate concerned and on further conditions that the petitioners shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
05/04/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE,PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SELVA Advocate SR.No.19481

GCG
CSL/BS/SAR-II/10.04.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3878 of 2017
Date :05/04/2017