



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

Tuesday, the Thirteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.7085 of 2017

1 ASMATHULLAH
2 JEYAKUMAR
3 SINGAM
4 MANGALANATHADURAI
5 JEGAN PRASATH
6 SATHAM USSAIN
7 RAMAR
8 THARIKUL AJISH ... PETITIONERS/ACCUSED NO.1 to 5 and 7 to 9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.273 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.ANTONY ARUL RAJ Advocate

For Respondent : A.RAMAR Additional Public Prosecutor

For Intervener : M/S.HANSANNL BANSARI Advocate

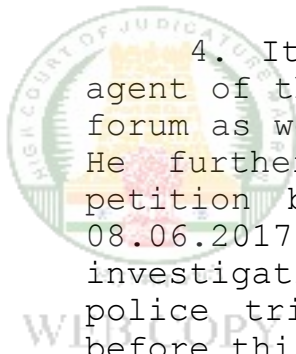
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-1 to A-5 and A-7 to A-9, in Crime No.273 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, 448, 109, 506(i) and 379 of I.P.C and Section 3 of Tamil Nadu Public Property(Prevention of Damage & Loss) Act, 1992 and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent/State.

3.The case of the prosecution is that the petitioners along with other accused, alienated the property and caused damage to the defacto complainant's property.



4. It is reported that the defacto complainant is the power agent of the actual owners and disputes are pending before the civil forum as well as the Writ Court and various orders have been passed. He further submitted that the petitioners have filed a quash petition before this Court and the same was also dismissed on 08.06.2017 with a direction to the respondent police to complete the investigation to file a final report and after that, the respondent police tried to arrest the petitioners. Hence, they have come before this Court seeking anticipatory bail.

5. Considering the facts and circumstances of the case and also considering the fact that this Court had already directed the respondent police to file a final report and also considering the fact that there is no order of injunction is pending against the petitioners and the matter is of civil in nature, 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, Ramanathapuram and on each of them 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 condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners 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/-
13/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.24056

ORDER IN
CRL OP(MD) No.7085 of 2017
Date :13/06/2017