



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

Friday, the Twenty Eighth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9783 of 2017

1 AVUDAIYAMMAL
2 SANDHANAM

... PETITIONERS / ACCUSED NO.1,2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THERMAL NAGAR POLICE STATION,
TUTICORIN DISTRICT,
CRIME NO.94 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.J.KARTHICK Advocate

For Respondent : MR.K.S.DURAIPANDIAN Additional Public Prosecutor

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

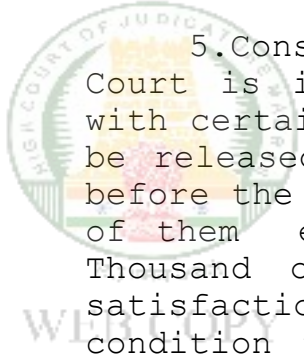
ORDER : The Court Made the following order :-

The petitioners / A1 and A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353 and 506(i) of IPC in Crime No.94 of 2017, seek anticipatory bail.

2.The case of the prosecution is that there was a dispute between the petitioners and the de facto complainant, with regard to allotment order of the snacks shops and hence, the petitioners are said to have abused the de facto complainant in filthy language and also threatened him with dire consequences.

3. The learned counsel appearing for the petitioners states that the petitioners are an innocent person and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further state that the petitioners have filed W.P(MD).No.9211 of 2016 and an order of injunction was obtained and thereafter, the de facto complainant has given permit passes to the small hawkers (Jansi Bakery) to disturb the petitioners peaceful running of stall.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are totally 2 accused in this case and the petitioners herein are arrayed as A1 and A2 respectively. He would further submit that due to allotment order of the snacks shops, there was a dispute arose between them and the investigation is still 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 No. II, Tuticorin 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 petitioners shall appear before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation on receipt of summons. 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TUTICORIN.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
THERMAL NAGAR POLICE STATION, TUTICORIN DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.J.KARTHICK Advocate SR.No.27542

ORDER
IN
CRL OP(MD) No.9783 of 2017
Date :28/07/2017

MKV-CM-MSA-SAR 3/2.8.2017/2P-6C