

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

Monday, the Fifth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4945 of 2017

1 MARIAPPAN
2 VINOBAJI
3 UCHI MAHALI
4 MURUGESAN

... PETITIONERS/ACCUSED NO.1 TO 4

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT
CRIME NO.140/2017

... RESPONDENT/COMPLAINANT

ARTHUR PANDIAN

... PETITIONER/
DEFACTO COMPLAINANT

For Petitioner : M/S.S.MUTHALRAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.MAHENDRAPATHY, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A4, in Crime No.140 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, 452, 294(b), 323, 506(ii) IPC r/w Section 3(1) of TNPPDL Act and hence, seek anticipatory bail.

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

3.The learned counsel for the petitioners submitted that the defacto complainant is a reporter in a leading Tamil daily. For publishing a news item about the petitioners, the petitioners are alleged to have trespassed into the office of the defacto complainant and abused, threatened and attacked the defacto complainant and also damaged articles in the Office worth about Rs.3

lakhs. He would further submit that the petitioners are innocent. They have not committed any offence as alleged in the complaint. They have been falsely implicated in this case.

4.The learned Government Advocate appearing for the respondent / State submitted that the investigation is pending.

5. The learned Government Advocate appearing for the respondent and also the learned counsel appearing for the intervener/defacto complainant are not able to say as to how the cost of the damage has been assessed. 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, Kovilpatti 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 altogether shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of Crime No.140 of 2017 on the file of the learned Judicial Magistrate No.II, Kovilpatti and shall appear before the respondent police once in a week i.e, on every Monday, at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5.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 shall stand dismissed.

sd/-
05/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI
- 2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUTHALRAJ Advocate SR.No.23176
+1 cc to Mr.S.MAHENDRAPATHY, Advocate SR.No. 23495

ORDER
IN
CRL OP(MD) No.4945 of 2017
Date :05/06/2017