



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.4196 of 2018

1 SIVALINGAM
2 KANTHASAMY
3 AZHAGU PATHIRAKALI

... PETITIONERS/ACCUSED
RANK No.4 to 6

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
KURUMBUR POLICE STATION,
TUTICORIN DISTRICT
(CRIME NO. 17/2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.JEYAKARTHIK, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

For Intervenor : MR.M.MARAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 379 IPC and Section 3 of TNPPDL Act, 1992 in Crime No.17 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The petitioners have been shown as accused A4 to A6 in Crime No.17 of 2018 on the file of the respondent police for alleged offences under Sections Sections 147, 294(b), 379 IPC and Section 3 of TNPPDL Act, 1992. The defacto complainant is one Radhika W/o. Palavesa Muthu. Her daughter had filed OS.No.166 of 2017 before the District Munsif Court, Tiruchendur and the second petitioner herein, A1, A2 and A4 are shown as defendants in the said suit. Injunction was initially granted. Finally after contest, the same was vacated on 19.12.2017.



3. Heard the learned counsel appearing for the intervenor.

4. In this view of the matter, even though a submission is made by the learned Government Advocate (Crl.Side) that the property in question has not been recovered and after hearing the objections made by the learned counsel for the intervenor, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Srivaikundam and on their 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 as and when required for interrogation. The petitioners shall comply with the conditions 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 shall stand dismissed.

sd/-

02/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAİKUNDAM,
TUTICORIN DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.JEYAKARTHIK, Advocate SR.No.5259

ORDER

IN

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Date :02/04/2018