



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.4917 of 2018

1 ALLA PICHAI
2 RAVI @ SAMINATHAN AIYYAR
3 BHASIR @ BASHIR ALI
4 PARTHIBAN
5 ARUNACHALAM

... PETITIONERS/ACCUSED 1 to 5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PERAVURANI POLICE STAION,
THANJAVUR DISTRICT.
IN CR.NO. 28/2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.P.SENTHIL, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government 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 accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 447, 294(b), 323 & 506(i) IPC in Crime No.28 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The defacto complainant strongly opposed the grant of bail. The defacto complainant would submit that a 80 year old lady is being disturbed. It is seen that the petitioners herein had already filed O.S.No.101 of 2016 on the file of the learned Additional District Court, Thanjavur seeking specific performance and that it is still pending. The learned counsel for the petitioners would also claim that the Othi had been executed in favour of the first petitioner as early as on 31.08.2004 and he submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution.



3. Considering the civil nature of disputes between the parties, 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 Court, Pattukottai 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.

4. 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, PATTUKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.P.SENTHIL Advocate SR.No.5289

ORDER
IN
CRL OP(MD) No.4917 of 2018
Date : 02/04/2018

PK/RR/SAR-1/05.04.2018 : 2P/6C