



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

Monday, the Second day of April Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.4939 of 2018

1 ABDUL KADAR ... 1st PETITIONER / 1st ACCUSED
2 RATHINAM
3 KADAR MOHIDEEN
4 KARUPPASAMY
5 RAJA MOHAMMED
6 SHEIK MOHAMMED @ PULI
7 MUTHURAJA ... PETITIONERS 2 to 7/ ACCUSED 3 to 8

Vs

THE SUB INSPECTOR OF POLICE
SERNDAMARAM POLICE STATION,
TIRUNELVELI DISTRICT
IN CR.NO. 71/18

... RESPONDENT / COMPLAINANT

For Petitioners : MR.S.KUMAR Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU
Govt. 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 No.1 and 3 to 8, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 294 (b), 427, 384 and 506 (ii) IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.71 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The mother of the defacto complainant has executed a sale deed in favour of the first accused for the loan borrowed by her eldest brother. In this regard, a civil dispute is pending between the petitioners and the defacto complainant before the Sub Court, Tenkasi. While so, on 07.03.2018, the accused persons have entered into the land of the defacto complainant and directed them to go away from the land and also caused damages to the crops worth about Rs.70,000/-. Therefore, the present case came to be registered.



are no way connected with any of the alleged offences.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that there was no previous case pending against the petitioners.

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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 Court, Tenkasi 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 is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
02/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
TENKASI, TIRUNELVELI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE
SERNDAMARAM POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.S.KUMAR Advocate SR.No.5226
SKM
JAM/06/04/2018/ PN / SAR 4/ 2P-6C

ORDER
IN
CRL OP (MD) No.4939 of 2018
Date :02/04/2018