



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.4991 of 2018

1 MUNIYASAMY
2 UMAIYAR
3 RAJA
4 IBRAHIM KANI

... PETITIONERS/ACCUSED NO.1 TO 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT,
CRIME NO. 4 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI 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, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 416, 420, 465, 468, 471, 506(i) I.P.C in Crime No.4 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the the defacto complainant has not executed any sale deed in favour of the first petitioner and the property was mortgaged by the defacto complainant. The first petitioner encroached the property in Survey No.538/3A with an extent of 2 acre 93 cents and 538/3B with an extent of 2 acres 70 cents which was situated at Tharaikudi Village, Kadaladi Taluk, Ramanathapuram District. The defacto complainant tried to remove the encroachment. But the petitioners threatened the defacto complainant. Therefore, the defacto complainant lodged a complaint and the respondent police registered a case in Crime NO.4 of 2018, on the file of the Inspector of Police, District Crime Branch, Ramanathapuram, Ramanathapuram District.



3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any of the offences as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is still pending.

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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 No.1, Ramanathapuram District 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

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.5164

TSG
CSL/PMI/SAR-IV/05.04.2018 :2P/6C