



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7719 of 2018

1 APPU @ APPURANANTHAM
2 MUPPUDATHI
3 MUTHU @ ESAKKIMUTHU
4 MAHESH @ MAHESWARAN
5 MUTHUKUTTY

... PETITIONERS/ ACCUSED 1,3 TO 5 & 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.255/2018)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.D.VENKATESH Advocate
For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 294(b), 307, 436, 506(ii) of IPC and Section 3 of TNPPDL Act in Crime No.255 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that a wordy quarrel arose between the defacto complainant and his friends with the accused. Due to that motive, the accused by forming an unlawful assembly gathered in front of the house of the defacto complainant and the accused also damaged house hold articles and bike worth about Rs.1,00,000/-. The accused also threatened the defacto complainant with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that as far as the petitioner / A1 is concerned, he is withdrawing his application and for the other accused, viz., A3 to A5 and A7, he seeks anticipatory bail.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate [Criminal side] appearing for the respondent Police, on instructions, would submit that



petitioners are said to have damaged the articles worth about Rs.1,00,000/- and hence, he would vehemently oppose the grant of anticipatory bail.

5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners/A3 to A5 and A7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Alangulam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioners shall not abscond either during investigation or trial.

[d]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560).

6.As far as A1 is concerned, in view of the endorsement made by the learned Counsel for the petitioner, this petition is dismissed as withdrawn.

sd/-
09/05/2018

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

TO

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

+1. CC to M/S.D.VENKATESH Advocate SR.No.8343