



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

Tuesday, the Sixteenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) No.18674 of 2018

1 SIVA KUMAR
2 KOMBIAH
3 AVUDAIYAPPAN

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.294/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PRABU Advocate

For Respondent : MR.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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

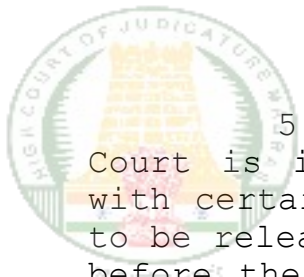
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 447, 109 of IPC and Section 3(1) of TNPPDL Act, in Crime No. 294 of 2018, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners illegally trespassed into the land of the defacto complainant for erection of windmill poles and caused damage the fencing at worth about Rs.30,000/- and that the petitioners also threatened the defacto complainant. Hence, a case has been registered.

3. Heard the learned Counsel appearing for the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that there was a civil dispute between the petitioners and the defacto complainant.



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-II, Kovilpatti and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. 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/-
16/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
 - 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TUTICORIN.
 - 3 THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.PRABU Advocate SR.No.19813

ORDER
IN
CRL OP(MD) No.18674 of 2018
Date :16/10/2018

JM/PN/SAR 4/22.10.2018/2P/6C