



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

Thursday, the Eighth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.19260 of 2018

1 VIJIMON
2 KESARI
3 SHIBUMON
4 NOBIKUMAR
5 VIMALA
6 GLADISH FLORA

... PETITIONERS / ACCUSED 1 & 6

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE,
ARUMANAI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.197 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.RAJESHWARAN 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 are arrayed as A1 to A6, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 447, 427 and 506(ii) IPC, in Crime No.197 of 2018, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners said to have damaged the compound wall and trees belonging to the defacto complainant worth about Rs.3,00,000/- and threatened him with dire consequences. Hence, on complaint a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that the petitioners are ready to deposit a sum of Rs.1,00,000/-.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that case is an off-shoot of a civil dispute and the property damaged is worth about Rs.3,00,000/- and the investigation is pending.

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5. Considering the facts and circumstances of the case and also considering the fact that it is a civil dispute is impending and that the petitioners are ready to deposit a sum of Rs.1,00,000/-, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. 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.I, Kuzithurai, Kanyakumari District, on condition that each of the petitioners shall execute 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 deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.197 of 2018, on the file of the above said Magistrate and the petitioners shall report before respondent Police daily between 5.00 p.m., and 6.00 p.m., for a period of two weeks and thereafter, as and when required, for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. 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 stands dismissed.

sd/-
08/11/2018

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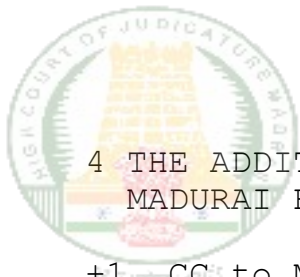
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
<https://hcservices.ecourts.gov.in/hcservices/>
ARUMANAI POLICE STATION,
KANYAKUMARI DISTRICT.



4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.RAJESHWARAN Advocate SR.No.21305

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ORDER

IN

CRL OP (MD) No.19260 of 2018

Date :08/11/2018

JM/VR MMS/SAR 1/09.11.2018/3P/6C