



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

Friday, the Twentieth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.12448 of 2018

1 MUTHUCHAMY
2 MUTHULAKSHMI
3 THATTANGARUPPI
4 VIJAY
5 KUMAR

... PETITIONERS / ACCUSED Nos.1 to 5

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT
IN CRIME NO.470/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.M.GNANAGURUNATHAN Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

For Intervenor : Mr.M.JEGADEESH PANDIAN, Advocate

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

ORDER : The Court Made the following order :-

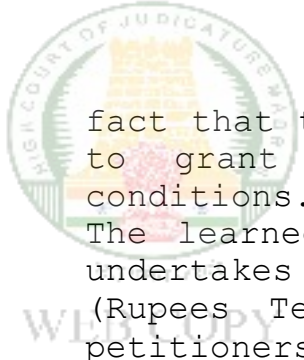
The petitioners apprehend arrest at the hands of the respondent Police for the offences under Sections 147, 148, 294(b), 323 and 506 (i) I.P.C and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.470 of 2018 and seek anticipatory bail.

2.Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl. side) appearing for the respondent and the learned counsel appearing for the intervenor.

3.The learned counsel appearing for the intervenor produced photographs which *prima facie* shows that some damage to the compound wall has taken place and he also contended that the petitioners entered the grocery shop of the *de facto* complainant and caused damage. It appears that the value of the damage would be around Rs.40,000/-. The third petitioner and the husband of the *de facto* complainant are brother and sister.

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

4.Taking into account the relationship of the parties and the



fact that the dispute is in civil in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. However, the petitioners will have to be put on terms. The learned counsel appearing for the petitioners on instructions undertakes that they shall jointly deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the *de facto* complainant. The petitioners shall take a Demand Draft in favour of the *de facto* complainant and hand over the same to the *de facto* complainant in the concerned Police Station. Subject to this condition, anticipatory bail is granted 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, Natham and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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.

5. 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/-

20/07/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.GNANAGURUNATHAN Advocate SR.No.13659

TSG

JAM/26/07/2018/RR /SAR 4/ 2P-6C