



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

Friday, the Twenty Fourth day of August Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.15009 of 2018

1 KARTHICK
2 DHANAPAL

... PETITIONERS / ACCUSED 1 & 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT,
IN CRIME NO. 129/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.DEENADHAYALAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

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 punishable under Sections 147, 148, 452, 294 (b), 506(ii), 379 of IPC and Section 4 of TNPHW Act and Section 3(1) of TNPPDL Act in Crime No.129 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are relatives. The dispute arose at the time of fencing the property and as a result of the same the petitioners have attempted to attack the defacto complainant and had caused damage to the cars belonging to the defacto complainant. Based on the complaint the present First Information Report has been registered.

3. The learned counsel for the petitioners would submit that the petitioners are arrayed as A1 and A3 and that A2 was arrested and he is in judicial custody. The petitioners and the defacto complainant are close relatives and there is a property dispute. The learned counsel for the petitioners brought to the notice of this court, the agreement entered between the parties on 23.08.2018 wherein damage of Rs.2,00,000/- that was caused by the petitioners was repaid to the defacto complainant. Muchalika has been produced before this Court and the same evidences the payment of Rs.2,00,000/- to the defacto complainant.



4.The learned Government Advocate would submit that the accused persons and the defacto complainant are close relatives and there was a dispute which resulted the accused persons assaulting and abusing the defacto complainant and causing damage to his properties.

5.Taking note of the facts and circumstances, and the fact that the damage caused by the accused persons has been repaid to the defacto complainant, 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, Pattukkottai 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 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
24/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.16086

ORDER
IN
CRL OP(MD) No.15009 of 2018
Date :24/08/2018