



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22911 of 2018

1 P. KASI
2 K. RAMALINGAM
3 K. MUTHUPILLAI

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
(IN CRIME NO. 368 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.C.M.ARUMUGAM Advocate

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

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 alleged offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.368 of 2018 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 22.07.2018, the petitioners assembled together and encroached the property of the de-facto complainant. When the same was questioned by the de-facto complainant, she was assaulted by the petitioners with the deadly weapons and also scolded by using filthy language. Thereby she sustained injuries. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate [Criminal Side] appearing for the respondent.

4. According to the petitioners, they are innocent and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case.



5.The learned Government Advocate [Criminal side] for the respondent submitted that injured has been discharged from the hospital on 29.07.2018.

6. Considering the facts and circumstances of the case and also considering the fact that the dispute arose on account of civil dispute and the injured has been discharged from the hospital, this Court is inclined to grant Anticipatory Bail to the petitioners. 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, Sivagangai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate No-I, Sivagangai concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30.am., until further orders. 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
27/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-I, SIVAGANGAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI.

+1. CC to Mr.C.M.ARUMUGAM Advocate SR.No.24086
PS/PN/SAR-2/03.01.2019/2P/6C

ORDER
IN
CRL OP(MD) No.22911 of 2018
Date :27/12/2018