



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22998 of 2018

1.RAJARAJAN
2.MANIMEGALAI

... PETITIONERS / ACCUSED
No.2 and 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKOTTAI DISTRICT
Crime No.218/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.KARTHICK SUBRAMANIAN Advocate

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

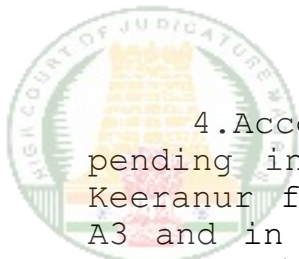
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 294(b), 506(i) and 380 of IPC and Section 3 (1) of Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992 in Crime No.218 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 23.11.2018 at 11.45 p.m., the petitioners and the father of the first petitioner namely, Mekkaiya, had trespassed into the house of the defacto complainant and robbed the gold articles worth about Rs.2,00,000/-. When the defacto complainant asked the petitioners and the father of the first petitioner about the said occurrence, they scolded him with filthy language and threatened him with dire consequences. Hence, the complaint.

3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the State.



4. According to the petitioners already two civil suits are pending in O.S.No.97 of 2018 before the learned District Munsif, Keeranur for permanent injunction filed by the second petitioner / A3 and in O.S.No.350 of 2018 before the learned Subordinate Judge, Pudukottai for partition filed by the defacto complainant.

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5. Considering the facts and circumstances of the case and also taking into consideration of the fact that two civil suits are pending between the second petitioner / A3 and the defacto complainant, 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, Keeranur 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 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/-
27/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KEERANUR.

2. THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION, PUDUKOTTAI DISTRICT.

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

+1. CC to Mr.S.KARTHICK SUBRAMANIAN Advocate SR.No.24107

ORDER
IN
CRL OP(MD) No.22998 of 2018
Date : 27/12/2018