



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.23011 of 2018

1 YASAR ARAFATH
2 LIYAKATH ALI

... PETITIONERS / ACCUSED 1,2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.395/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.P.KOTTAICHAMY, 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 :-

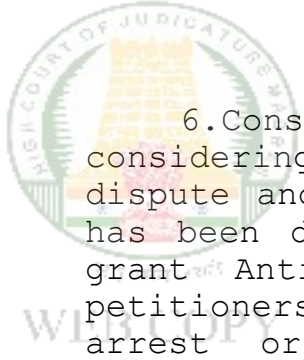
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 324, 506(ii) I.P.C, in Crime No.395 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, on 19.12.2018, when the defacto complainant and his wife riding two wheeler, the accused persons stopped the vehicle and abused them with filthy language and also threatened them with dire consequences. 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] submitted that the injured has been discharged from the hospital on 25.12.2018.



6. Considering the facts and circumstances of the case and also considering the fact that the dispute arose on account of civil dispute and taking into consideration of the fact that 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, Tenkasi 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, Tenkasi 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, TENKASI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.23011 of 2018
Date :27/12/2018

MS/VR/SAR-4/07.01.2019/2P.5C