



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

Tuesday, the Eighteenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16639 of 2018

1 K. MAILSAMY
2 A.SELVARAJ
3 A. GANAGARAJ
4 A. LAKSHMI
5 P. SUBRAMANI

... PETITIONERS / ACCUSED NOS. 1 TO 5

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
GUZILIAMPARAI POLICE STATION,
DINDIGUL DISTRICT.
(IN CRIME NO.200/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.I.SABEER MOHAMED Advocate

For Respondent : MR.M.ASOKAN
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 offences punishable under Sections 294(b), 324, 342, 506(ii), 120(B) and 109 of I.P.C. in Crime No.200 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the wife of the first petitioner herein. The 2nd and 3rd petitioners are younger brother of the de-facto complainant, 4th petitioner is relative of the de-facto complainant and first petitioner and 5th accused is the document writer. The de-facto complainant was taken by the accused persons forcibly and registered a sale deed in favour of the first accused. Even before that on 29.05.2018 she was attacked by the petitioners and as such she also sustained grievous injury. Hence, the de-facto complainant lodged a



complaint on 11.09.2018 against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the de-facto complainant is having illegal intimacy with one person, when the petitioners questioned the same, a false case has been foisted against them. The first petitioner is none other than own husband of the de-facto complainant and 2nd and 3rd petitioners are younger brother of the de-facto complainant and 4th petitioner is relative of the de-facto complainant and first petitioner. The 5th petitioner is the document writer. There is nothing to do with the de-facto complainant. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (criminal side) appearing for the respondent would submit that the investigation is pending.

5. Considering the facts and circumstances and also considering the fact that there is a delay of four months in filing the complaint, 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 Court, Vendasandur, Dindigul District 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/-
18/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
VEDASANDUR, DINDIGUL

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDUGAL



3 THE INSPECTOR OF POLICE
GUZILIAMPARAI POLICE STATION,
DINDIGUL DISTRICT,

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

+1. CC to MR.I.SABEER MOHAMED Advocate SR.No.17717

ORDER

IN

CRL OP(MD) No.16639 of 2018

Date :18/09/2018

MSI/PN/SAR-II/24.09.2018-3P/6C