



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

Tuesday, the Ninth day of October Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.16986 of 2018

1 PRABHU
2 PRASANTH
3 NITHYA

... PETITIONERS / ACCUSED NO.2,3 & 5

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUKOSHTIYUR POLICE STATION,
SIVAGANGAI DISTRICT.
(CR.NO.79 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.B.SENTHILNATHAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government 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 147, 294(b), 336, 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.79 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to the land dispute between the petitioners and the defacto complainant, the petitioners abused the defacto complainant with filthy language and also assaulted her. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the first petitioner is having four previous cases. The second petitioner is having three previous cases and there is no case pending against the third petitioner.



5. Taking note of the previous antecedents of the petitioners 1 and 2, this Court is not inclined to grant anticipatory bail to the petitioners 1 and 2. Accordingly, this criminal original petition is dismissed as far as the petitioners 1 and 2 are concerned.

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6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the third petitioner with certain conditions. Accordingly, the third petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Thiruppathur and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the third petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The third petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The third petitioner 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/-
09/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUPPATHUR.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUKOVSHETTIYUR POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.SENTHILNATHAN Advocate SR.No. 19175

ORDER
IN
CRL OP (MD) No.16986 of 2018
Date : 09/10/2018