



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

Tuesday, the Thirtieth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.18253 of 2018

DHASSAN

... PETITIONER / ACCUSED 1st ACCUSED

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATIOIN,
TIRUNELVELI CITY.
(CRIME.NO.689 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.R.DURAIRAJ Advocate

For Respondent : Mrs.M.ANANTHA DEVI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 448 and 506(ii) I.P.C and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and Section 379 I.P.C, in Crime No.689 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to dispute regarding the vacating the shops, on 07.10.2018 the petitioner and other accused unlawfully assembled together with the weapons and abused the defacto complainant and other shop owners by using filthy language and also assaulted them with stick and iron rod and caused injuries to them and trespassed into the shops and damaged the articles in the shops, worth about Rs.8,00,000/- and also taken away the motorcycle. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent. He has been falsely implicated in this case. Further, he would submit that the co-accused have also been granted bail by the Court below. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.



5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) to the credit of Crime No.689 of 2018 on the file of the learned Judicial Magistrate No.I, Tirunelveli. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Thoothukudi and on his 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The 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/-

30/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-I,
THOOTHUKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.R.DURAIRAJ Advocate SR.No.20638

PS/VR-MMS/SAR-1:02/11/2018:2P/6C

ORDER

IN

CRL OP(MD) No.18253 of 2018

Date :30/10/2018