



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.18385 of 2018

1 SINGADURAI
2 RASU
3 VENKATESWARAN @ VENKATESH KUMAR
4 RAGHUPATHI RAJA ... PETITIONERS / ACCUSED NO.1,3,4&6

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PARTHIBANUR POLICE STATION, PARTHIBANUR,
RAMANATHAPURAM DISTRICT.
(CRIME.NO.132/2018) ... RESPONDENT / COMPLAINANT

For Petitioners : Mr.D.SENTHIL Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

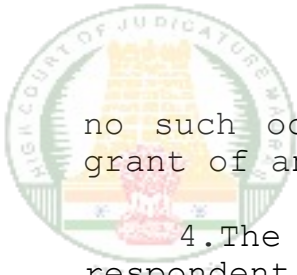
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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, 448, 294(b), 323, 506(i) and 379 I.P.C and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002 and Section 3 of Tamil Nadu Public Property(Prevention of Damage and Loss) Act, 1992, in Crime No.132 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 25.09.2018, the petitioners and other accused unlawfully assembled with deadly weapon, trespassed into the house of the defacto complainant, attacked the defacto complainant and caused injuries. Further, it is alleged that the petitioners and other accused threatened the defacto complainant with dire consequences and snatched her 3 ½ sovereign gold chain and damaged two wheeler worth about Rs.5,000/- Hence, the case has been registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocents. They have been falsely implicated in this case. Further, he would submit that the occurrence was happened on 25.09.2018, but belatedly, the complaint was lodged after 6 days and on the basis of the complaint, the above case was registered and



no such occurrence was happened on that day. Hence, he prays for grant of anticipatory bail to the petitioners.

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

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5.On perusal of the records, this Court is of the view that the case of the prosecution is not a believable one. Taking note of the facts and circumstances, 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, Paramakudi 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 daily at 10.30 a.m until further orders. 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/-

29/10/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
PARTHIBANUR POLICE STATION, PARTHIBANUR,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SENTHIL Advocate SR.No.20510
PS/PN/SAR-4:01/11/2018:2P/6C

ORDER

IN

CRL OP(MD) No.18385 of 2018

Date :29/10/2018