



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

Date : 10/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7822 of 2019

1. Maharaja
2. Rajan
3. Mahes

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
In Crime No.257/2019

... Respondent/Complainant

For Petitioners: M/s.C.Susi Kumar,
Advocate.

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

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

PRAYER :-

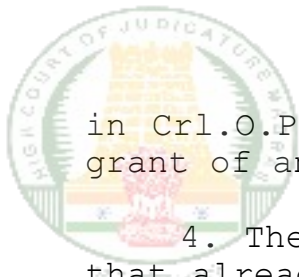
For Anticipatory Bail in Crime no.257/2019 on the file of the respondent police.

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 454,380(NH) and 427 of IPC in Crime No.257 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel for the petitioners has submitted that the name of the petitioners herein have not been mentioned in the First Information Report. He further submitted that only three name of the accused persons have been mentioned in the First Information Report. He further submitted that A2 is the father and A3 is the brother of the defacto complainant, A1 is the wife of A3. He further submitted that the petitioners herein are strangers. He further submitted that already two civil suits are pending between the parties with regard to the property dispute. He would also submit that A1 and A2 were granted anticipatory bail by this Court



in CrI.O.P(MD) No. 6614 of 2019 on 13.04.2019. Hence he prayed for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor has fairly conceded that already two civil suits are pending between the parties and no one sustained injuries. He would also submit that A1 and A2 were granted anticipatory bail by this Court, however he opposed for grant of anticipatory bail stating that investigation is still pending.

5. Taking into consideration of the fact that already two civil suits are pending between the parties and also the fact that no one sustained any injury and also the fact that already this Court has granted anticipatory bail to the first and second accused, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the Respondent Police as and when required for the interrogation.

[c] the petitioners shall not abscond either during investigation or trail.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/06/2019

/ TRUE COPY /

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



TO

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

+1. CC to M/S.C.SUSI KUMAR Advocate SR.No.9402

ORDER

IN

CRL OP (MD) No.7822 of 2019

Date :10/06/2019

MS/VR/SAR-4/18.06.2019/3P.6C