



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

Date : 27/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8923 of 2019

1. Sivakumar,
2. Muthammal,
3. Poosaiayan,
4. Sangilianda Murugan, ... Petitioners/Accused Nos.1 to 4

Vs

The state rep.by
The Inspector of Police,,
Kottampatti Police Station,
Madurai District.
Crime No.199/2019. ... Respondent/Complainant

For Petitioners : M/s.R.Gandhi,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.199/2019 on the file of the respondent police.

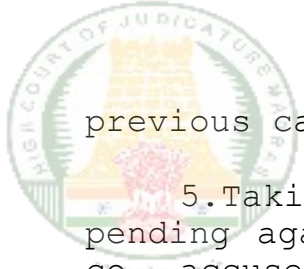
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 147,148,294(b),341,447,506(ii) of IPC, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the above said case. He would further submit that no case is pending against the petitioners. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent has submitted that due to some civil dispute the petitioners trespassed into the land of the defacto complainant and caused damage to the fence. However he fairly conceded that no



previous case is pending against the petitioners.

5. Taking into consideration the fact that no previous case is pending against the petitioners and also considering the fact that co-accused in this case were released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

[6] Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur 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 petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] each of the petitioners shall deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Crime No.199 of 2019 before the learned Judicial Magistrate, Melur, without prejudice his defence before the trial Court;

[c] the petitioners shall report before the respondent Police, daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for the interrogation.

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].

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

sd/-
27/06/2019

/ TRUE COPY /

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



TO

1 JUDICIAL MAGISTRATE, MELUR

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.R.GANDHI Advocate SR.No.71734

ORDER

IN

CRL OP (MD) No.8923 of 2019

Date :27/06/2019

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