



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.19225 of 2021

1. Yesudhasan
2. Seetharaman
3. Karthik
4. Mani @ Maniammal

... Petitioners/Accused 1 to 4

Vs

State rep.by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(Crime No.442 of 2021).

... Respondent/Complainant

For Petitioners: M/s.T.Lenin Kumar, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.442 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 447, 427, 294(b), 506(i) IPC in Crime No.442 of 2021, seek anticipatory bail.

2.The case of the prosecution is on 20.11.2021, that the accused persons had assaulted & abused the *defacto* complainant with filthy language and also threatened with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners would submit that there was civil dispute between the parties and the petitioners are the owners of the property, but the complaint was given by the defacto complainant, as if, he is the owner of the property and he has put up fencing also.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that investigation is not yet completed.

5.It is seen from the records, as on date, there is no documents to prove the ownership of the property. On reading of the First Information Report, it is seen that the dispute is with regard to the boundary of the property. After that, it appears that stones have been damaged, but the value has not been mentioned in the FIR. Considering the facts and circumstances of this case, civil dispute between the parties, 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, before the learned Judicial Magistrate, Kadaladi 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; the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Crime No.442 of 2021, before the Trial Court, within a period of two weeks from the date of receipt of the order copy and the petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
06/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER
IN
CRL OP(MD) No.19225 of 2021
Date :06/12/2021

SP/CN/SAR III/10/12/2021/3P/5C