



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19479 of 2021

1.Pandarinathan K

2.Dharmar @ Dharmaraj K

... Petitioners/Accused No.3&4

Vs

State Rep.by

The Inspector of Police,

Srivilliputhur Town Police Station,

Virudhunagar District.

(Crime No.603/2021).

... Respondent/Complainant

For Petitioners: M/s.Ganapathi Subramanian.P.,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

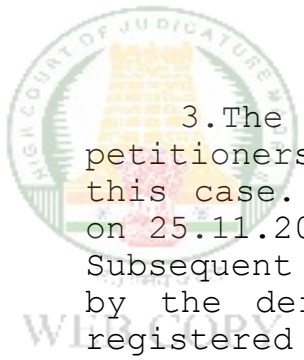
PRAYER :-

For Anticipatory Bail in Crime No.603 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.3 and 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 427 and 506(ii) IPC r/w 4 of TNPHW Act, in Crime No.603 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 24.11.2021 due to the civil dispute the petitioners trespassed into the land of the defacto complainant and demolished the wall and on 25.11.2021, when the defacto complainant was standing in front of his father's house, the petitioners had abused and assaulted the defacto complainant and his family members and threatened them with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. The first and second accused in this case were arrested on 25.11.2021 and released on bail by the trial Court on 30.11.2021. Subsequent to this occurrence the father of the accused was murdered by the defacto complainant's party. Thereafter, a case has been registered against the defacto complainant's party.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. The co-accused in this case have been released on bail.

5.Considering the nature of offence, the overt act attributed against the petitioners and the co-accused have been released on bail, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Additional Mahila Court, Srivilliputhur, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.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 stands dismissed.

sd/-
09/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
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, Additional Mahila Court,
Srivilliputhur.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur.
3. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.19479 of 2021

Date :09/12/2021

RS/VR/SAR2(14.12.2021) 3P-5C