



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.565 of 2022

1. Joseph Isackraj @ Joseph Isackraja
2. Arulraj
3. Siva @ Pandarakutti
4. Paulraj @ Palraj ... Petitioners/Accused
1 to 3 and 6

Vs

State rep.by
The Inspector of Police,
South Thamaraikulam Police Station,
Kanyakumari District.
(Crime No.6 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Pon Karthikeyan R, Advocate.

For Respondent : M/s.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.6 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 3 and 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 447, 294(b) and 506(ii) I.P.C., on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was land dispute between the petitioners and the defacto complainant, due to which, the petitioners abused the defacto complainant and also threatened with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor for the respondent police submitted that there was a land dispute between the parties and a suit in O.S.No.91 of 2021 is also pending. There is a case in counter case has been registered.

5. Considering the nature of offence, the overt act attributed against the petitioners, there is a case in counter case and a suit in O.S.No.91 of 2021 is also pending, 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 No.III, Nagercoil, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned. Due to COVID-19 pandemic situation, the petitioners shall appear before the respondent police once in a month i.e., on first Monday of every English Calendar Month 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/-
12/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

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 NO.III
NAGERCOIL.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3. THE INSPECTOR OF POLICE,
SOUTH THAMARAikulam POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.PON KARTHIKEYAN R Advocate SR.No.260

ORDER

IN

CRL OP (MD) No.565 of 2022

Date :12/01/2022

SP/PA/SAR I/03/02/2022/3P/6C