



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.1 of 2015

1 M.P.SIVAKUMAR

2 P.REVATHI

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.3/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PALANIRAJA Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(i) IPC in Crime No.3 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had attacked the defacto complainant with iron rod.

3. It is represented by the learned Government Advocate (Crl.Side) that injured has been discharged from the hospital and there is no previous case against the petitioners.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. 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, Melur, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the first petitioner shall stay at Kottampatti and report before Kottampatti Police Station twice a day at 10.30 a.m and 6.30 p.m for a period of two weeks and thereafter, as and when required for interrogation. The second petitioner shall report before the respondent police as and when required for interrogation.

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

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

[d] 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 petitioner 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]**.

sd/-
07/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 - 3 THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION, MADURAI DISTRICT.
 - 4 THE OFFICER IN-CHARGE, KOTTAMPATTI POLICE STATION, KOTTAMPATTI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.PALANIRAJA, Advocate, SR.No.517.

ORDER IN
CRL OP(MD) No.1 of 2015
Date :07/01/2015

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