



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

Wednesday, the First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12121 of 2015

1 PALANISAMY
2 KANNAN

... PETITIONERS/ACCUSED 1 & 4

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI. (IN CRIME NO.241 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.SARAVANAPANDIYAN Advocate

For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 307 and 379 (NP) of IPC and Section 4 of TNWHA in Crime No.732 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The prosecution case is that on 25.06.2015 at about 9.30 p.m., the accused and some other persons were fighting with each other in front of the house of the defacto complainant. When this is questioned by the defacto complainant, the accused have assaulted him and also snatched his chain of 5 sovereigns and also threatened with dire consequence.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that a case is also registered against the defacto complainant in Crime No.242 of 2015 for the offence punishable under Section 307 IPC. The learned counsel submitted that as a counter blast, a false complaint has been given against the petitioners.



4.The learned Government Advocate (Crl.Side) submitted that the entire accused and the de facto complainant are neighbours and this a case of case in counter and the victim is discharged from the hospital.

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5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Mahela Court, Madurai and on each of them executing 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 and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. Until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.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/-
01/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE,
MAHELA COURT, MADURAI.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

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

4 THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION, MADURAI.

+1. CC to M/S.T.SARAVANAPANDIYAN Advocate SR.No.35206

akm/02.07.15 /2p-6c/

ORDER
IN
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Date :01/07/2015