



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twenty Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1236 of 2015

1 P. PREMKUMAR

2 K. AKKINI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

VILAMPATTI POLICE STATION,

DINDIGUL DISTRICT.

CRIME NO.9/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.GANESAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 offences punishable under Sections 452, 294(b), 323 and 506(ii)I.P.C. in Crime No. 9 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate(Crl.Side).

3. The case of the prosecution is that the petitioners trespassed into the house of the defacto complainant and attacked him with a wooden log.

4. The learned Government Advocate(Crl.Side) would submit that the injured has already been discharged from the hospital.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Nilakottai, Dindigul District on condition that each of the petitioner 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 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 petitioners shall stay at Palani and report before the Police Station twice a day daily at 10.30a.m. and 06.30p.m. for a period of two weeks and thereafter 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 Judicial 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 petitioners released on bail by the learned Judicial 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/-
27/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NILAKOTTAI, DINDIGUL DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

4 THE INSPECTOR OF POLICE, VILAMPATTI POLICE STATION,
DINDIGUL DISTRICT.

5 THE INSPECTOR OF POLICE, ADIVARAM POLICE STATION, PALANI,
DINDIGUL DISTRICT.

+1. CC to M/S.P.GANESAN Advocate SR.No.3556

ORDER IN
CRL OP(MD) No.1236 of 2015
Date :27/01/2015

PBK 28/01/2015 ::2P-7C: