



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.1351 of 2015

WEB COPY

1 NAGARAJAN
2 MAHESWARI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
KANA.VILAKKU POLICE STATION, THENI DIST,
CR.NO.16/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.SANTHAKUMAR Advocate

For Respondent : MR.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 offences punishable under Sections 294(b), 324 and 307 of Indian Penal Code in Crime No.16 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Criminal Side) that this is the case in counter and counter case has been registered in Crime No.15 of 2015. In this case, the injured has been discharged from the hospital. There is no previous case against these petitioners.

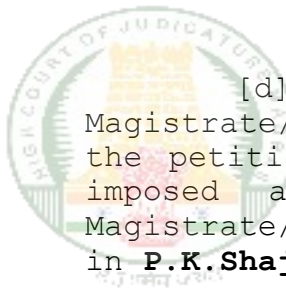
3. Considering the facts and the injured had already been discharged from hospital and that the petitioners have no previous antecedent, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Andipatti, 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 reside at Dindigul and sign before the Palani Adivaram Police Station, twice a day daily at 10:30 a.m., in the morning and 06:30 p.m., in the evening for a period of four 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.

<https://hcservices.ecourts.gov.in/hcservices/>

[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 petitioners 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/-
28/01/2015

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/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ANDIPATTI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THENI.
 - 3 THE INSPECTOR OF POLICE
KANA.VILAKKU POLICE STATION, THENI DISTRICT.
 - 4 THE OFFICER INCHARGE,
PALANI ADIVARAM POLICE STATION,
DINDIGUL.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.SANTHAKUMAR Advocate SR.No.3609

ORDER
IN
CRL OP(MD) No.1351 of 2015
Date :28/01/2015

PA/30.01.15/2P/7C