



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

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15354 of 2015

1 VELLAIPANDI

2 JEYAGANESAN

3 CHINNA SUBBAIYAN

4 NALLA MAHARAJA

5 JEYASAMI

6 THAVARAJA

... PETITIONER(S) / ACCUSED 2 TO 7

Vs

THE STATE REP BY INSPECTOR OF POLICE
KANNAVILLAKU POLICE STATION ,
ANDIPATTI, THENI DISTRICT.
IN (CRIME NO. 167 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

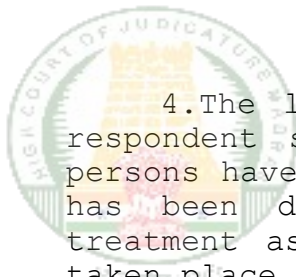
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 to A7 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 148, 341, 294(b), 324, 109 and 307 of IPC, in Crime No.167 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the prosecution, due to civil dispute, on 31.07.2015 the accused have trespassed into the property of the de-facto complainant and attacked him with lethal weapons and caused grievous injuries.

3.The learned counsel for the petitioners submitted that the petitioners innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that even as per the complaint, A1 to A6 attacked the de-facto complainant at the instigation of A7 and A1 was already arrested and he is in judicial custody. The learned counsel seeks permission of this court to withdraw the petition in respect of the petitioners 1 to 5 and he has also made an endorsement to that effect.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that this is a case of case and counter and two persons have sustained grievous injury in this case and one of the injured has been discharged from the hospital and another is still taking treatment as inpatient. It is further submitted that the occurrence had taken place at the instigation of the 6th petitioner/A7.

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5.Considering the facts and circumstances of the case and also considering the overtact attributed against the 6th petitioner, this Court is inclined to grant anticipatory bail to the 6th petitioner alone with certain conditions. **In view of the endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn as against the petitioners 1 to 5.**

6.Accordingly, the 6th petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Andipatti, Theni District and on his 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 6th petitioner shall appear before the respondent police daily at 10.00 a.m until further orders. The 6th petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The 6th petitioner 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/-
28/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ANDIPATTI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE, KANNAVILLAKU POLICE STATION ,
ANDIPATTI, THENI DISTRICT.

+1. CC to M/S.K.J.ASSOCIATES Advocate SR.No. 50299.

TS/01.09.2015/2P - 6C GSV-PM/SAR -I