



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

Tuesday, the Eleventh day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.15520 of 2015

1 MERINA
2 TAMILSELVI
3 STANLEY
4 SUNDARAVEL

... PETITIONERS / ACCUSED NO.1 TO 4

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
SOUTH POLICE STATION,
THOOTHUKUDI.

(CRIME NO. 620 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MUTHALRAJ Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervener : MR.RAJESH SARAVANAN, ADVOCATE

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A4, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of I.P.C., in Crime No.620 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners abused the de-facto complainant in filthy language and also assaulted him.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.Mr.Rajesh Saravanan, the learned counsel for the intervenor vehemently opposed this petition stating that the de-facto complainant has already filed a suit and got an injunction in his favour and despite the civil Court order, the accused trespassed into the de-facto complainant's property.

5.The learned Government Advocate (Crl.side) would submit that the injured had discharged from the hospital.



6. Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Thoothukudi 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 No.3 and 4 shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation and the petitioners No.1 and 2 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

11/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I
THOOTHUKUDI.

2. THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI

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

4. THE SUB INSPECTOR OF POLICE
SOUTH POLICE STATION, THOOTHUKUDI.

+1. CC to M/S S.MUTHALRAJ Advocate SR.No.45420

ORDER

IN

CRL OP(MD) No.15520 of 2015

Date : 11/08/2015

rg.12.08.2015

2p/6c.