



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

Monday, the Twenty Fourth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16257 of 2015

1 M. MAHENDRAN	... 1 st PETITIONER/2 nd ACCUSED
2 M. CHANDRAN	... 2 nd PETITIONER/3 rd ACCUSED
3 A. LOGENDRAN	... 3 rd PETITIONER/4 th ACCUSED
4 M. SELVI	... 4 th PETITIONER/5 th ACCUSED
5 A. THARMAR	... 5 th PETITIONER/6 th ACCUSED

Vs

STATE THROUGH THE SUB INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

(IN CRIME NO. 378 OF 2015) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S R.MANICKAM Advocate

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

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

ORDER : The Court Made the following order :-

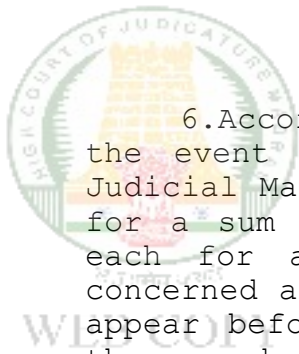
The petitioners, who are arrayed as A2 to A6, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324, 427, 435 and 506(ii) of IPC in Crime No.378 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with first accused hurled filthy language on the de-facto complainant and also attacked with iron rod.

3.The learned counsel for the petitioner would submit that there was a dispute between the de-facto complainant and the petitioners regarding pathway which was encroached by the de-facto complainant and due to that, a false case has been lodged against the petitioners. It is further submitted that the petitioners are innocents and they have been falsely implicated in this case.

4.It is submitted by the learned Government Advocate (Crl.side) that the injured person had already been discharged from the hospital.

5.Considering the submissions made by the learned Government Advocate (Crl.side) and also considering the fact that the injured person had been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam, 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 1,2,3 and 5 shall appear before the respondent police daily at 10.00 a.m. for period of three weeks and thereafter as and when required and the fourth petitioner shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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/-
24/08/2015

/ TRUE COPY /

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

TO

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

+1. CC to M/S R.MANICKAM Advocate SR.No.48626

ORDER
IN
CRL OP(MD) No.16257 of 2015
Date :24/08/2015

NS/KBM/SAR-II/28.08.2015:2P/6C