



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.16686 of 2015

1 P. ARULSELVAN

2 S. MUTHU

..PETITIONERS/ACCUSED 2 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

THISAYANVILAI POLICE STATION,

THIRUNELVELI DISTRICT.

(CRIME NO.228 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MALAIKANI 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 and A3 apprehend arrest at the hands of the respondent police for the alleged offence punishable under section 307 of IPC, in Crime No.228 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the accused and the de-facto complainant, on 05.04.2014 the accused attacked the de-facto complainant and caused injuries.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that A1 and A4 were enlarged on anticipatory bill by this court in Crl.O.P(MD) No.14468 of 2015, dated 21.08.2015.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that A1 and A4 were enlarged on anticipatory bail, 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 arrest or on their appearance before the learned Judicial Magistrate, Valliyoor 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 shall appear before the respondent police daily at 10.00 a.m until further orders. 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/-

28/08/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, VALLIYHOOR, TIRUNELVELI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, THISAYANVILAI POLICE STATION,
THIRUNELVELI DISTRICT.

+1. CC to M/S S.MALAIKANI Advocate SR.No.49874

ORDER IN

CRL OP(MD) No.16686 of 2015

Date :28/08/2015

PBK/AAL-MPA/SAR-II 01/09/2015 ::2P-6C::