



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

Tuesday, the Twentieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.20445 of 2015

1 KARTHICK
2 KANNAN
3 VALARMATHI
4 PANDI

... PETITIONERS/ACCUSED NO. 1 TO 4

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KALAIYAR KOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
(CR. NO.450 OF 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S G.KARUPPASAMY PANDIAN 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 offence punishable under Sections 294(b), 323 and 506(ii) of the Indian Penal Code and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.450 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Crl.Side) that injured has been discharged from the hospital and there is no previous case as against the petitioners.

3. Considering the facts and the injured has 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, No.I, Sivagangai, on condition that the petitioners shall execute 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 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 petitioners 1, 2 and 4 shall report before the respondent police at 06:30 PM in the evening for a period of two weeks and thereafter as and when required for interrogation. The third petitioner shall appear before the respondent police as when and required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-
20/10/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
3. THE INSPECTOR OF POLICE,
KALAIYAR KOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20445 of 2015
Date :20/10/2015

2P/5C

TE/AAL-MPA/SAR-I : 28/10/2015

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