



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

Friday, the Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2048 of 2015

1 MAHESH
2 SURESH

... PETITIONERS/ACCUSED NOS.2&3

Vs

THE INSPECTOR OF POLICE
CHINNAKOVILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT,
IN CRIME NO.11 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T. INDRACHITHU Advocate(NA)
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

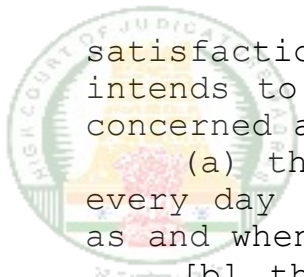
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.11 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 324 and 506(ii) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that while fetching water, these petitioners along with A1 attacked the de-facto complainant and threatened him. There is no representation on behalf of the petitioners.

3.It is represented by the learned Government Advocate (Crl. Side) that A1 has been arrested and enlarged on bail and these petitioners are A2 and A3; there is no previous case as against the petitioners and the injured had been discharged from the hospital. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioners, but with conditions.

4. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, on executing a separate 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 shall report before the respondent police every day at 10.30 a.m. for a period of two weeks and thereafter as and when 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].

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate, as to whether these petitioners are complying with the condition or not.

sd/-
06/02/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE
SANKARANKOVIL
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI
- 4.THE INSPECTOR OF POLICE
CHINNAKOVILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT,

+1. CC to M/S.T. INDRACHITHU Advocate SR.No.5859
RL/6 C- 11/2/2015

ORDER
IN
CRL OP (MD) No.2048 of 2015
Date :06/02/2015