



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

Monday, the Ninth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2151 of 2015

1 VELAMMAL
2 MARUTHAYEE
3 KARUPPAYEE
4 VIJAYAVALLI
5 MAHALINGAM
6 GANESAN
7 VELU THEVAR
8 SARAVANAN
9 BALU

... PETITIONERS/ACCUSED NO.1 TO 9

Vs

THE INSPECTOR OF POLICE
PERUNGUDI TOWN POLICE STATION,
MADURAI DISTRICT.
(CR.NO.17 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. M. SOLAISAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 offences punishable under Sections 147, 294(b), 323 and 506(ii) of Indian Penal Code in Crime No.17 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that these petitioners belong to one family and the *defacto* complainant is the brother of the petitioners 1 to 4 herein and due to family dispute, it is alleged that these petitioners had assaulted the *defacto* complainant.

3. It is represented that the injured has been discharged from the hospital and there is no previous case against these petitioners.

4. Taking into consideration the fact that the injured has been discharged from the hospital and 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.VI, Madurai, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum to the satisfaction of the services or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the petitioner Nos.1 to 4 and 7 shall report before the respondent police as and when required for interrogation. The other petitioners shall report before the respondent police every day at 06.30 p.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 a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-
09/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE
PERUNGUDI TOWN POLICE STATION, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 12.02.2015 : 2P/5C

ORDER
IN
CRL OP(MD) No.2151 of 2015
Date :09/02/2015