



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21741 of 2015

1 GANESAN @ GANESH KUMAR

2 GOPI @ GOPINATH

... PETITIONERS / ACCUSED No.2 & 3

Vs

The State of TamilNadu represented by

THE INSPECTOR OF POLICE

SATHANKULAM POLICE STATION, THOOTHUKUDI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.BALAKRISHNAN Advocate

For Respondent : Mrs.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 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323 and 506(ii) IPC in Crime No.500 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working under the 1st petitioner as a driver. On 10.10.2015, when the defacto complainant refused to obey the order of the 1st petitioner, the first petitioner attacked him with hands and threatened him with dire consequences.

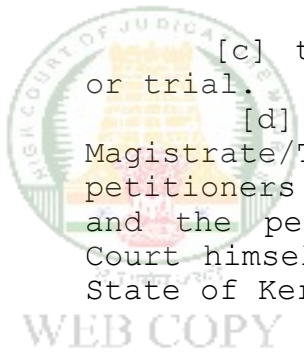
3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence and they have been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. Heard the learned Government Advocate (Criminal Side), who would submit that the injured has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, 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, Sathankulam, Thoothukudi District 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 shall report before the respondent police daily at 10:30 a.m for a period of two weeks and thereafter, as and when required by the police.

[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].

sd/-  
18/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SANTHANKULAM, THOOTHUKUDI DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE  
SANTHANKULAM POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.BALAKRISHNAN Advocate SR.No.66019

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ORDER  
IN  
CRL OP(MD) No.21741 of 2015  
Date :18/11/2015