



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23220 of 2014

1 MANICKARAJA

2 SAMUTHIRAM

... PETITIONER(S) / ACCUSED 2 & 4

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, KOVILPATTI,
THOOTHKUDI DIST, CR.NO.1249/2014 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : Mr.A.P.Balasurbramani 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 an alleged offence punishable under Sections 147,148,341,294 (b), 324 and 506(ii) of IPC in Crime No.1249 of 2014, seek anticipatory bail.

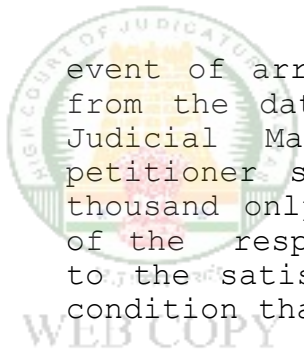
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondents. The investigating Officer is also present.

3. The case of the prosecution is that due to previous enmity the petitioners are alleged to have attacked the defacto-complainant with lethal weapon and abused him in filthy language.

4. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

5. The learned Government Advocate (Crl. Side) submits that the injured has been discharged from the hospital and investigation of the case is pending. He further submitted that there are no previous cases against the petitioners.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has already 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-II, Kovilpatti on condition that each of the petitioner 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 stay at Madurai and report before the K.Pudur Police Station, Madurai daily at 10.30 a.m. and 6.30 p.m for a period of two weeks and thereafter appear before the respondent police 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].

sd/-
06/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, KOVILPATTI.

2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, KOVILPATTI, THOOTHKUDI DISTRICT.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.390.

TS/08.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.23220 of 2014
Date :06/01/2015