



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Thirteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2359 of 2015

1 GURUMOORTHY

2 S.LALITHAMBIGAI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
SESSIONS COURT COMPLEX POLICE STATION,
TRICHY CITY.

CR.NO.444 OF 2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARAVANAN Advocate

For Respondent : Mr.P.KANNIDEVAN, Government Advocate (Crl.Side)

For Intervenor : Mr.M.SUBASH BABU, Advocate

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(i) IPC**, in Crime No.444 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is seen that the *de facto* complainant, in this case, is an Advocate. It is alleged that the *de facto* complainant was appearing for the opposite party in a litigation against these petitioners. When the case came up for hearing, on 06.11.2014, it is alleged that these petitioners had abused *de facto* complainant and pushed him. The First Information Report was registered on 30.12.2014.

3. Mr.M.Subash Babu, learned counsel appearing for the intervener, strongly opposes to the grant of Anticipatory Bail to the petitioners and submitted that there are cases against these petitioners.

4. It is further seen that there is a dispute between these petitioners and one Rengaraj, in respect of a lane and there are cases against each other and in this regard, complaints and counter complaints have been given by both against each other. In such circumstances, this Court is 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, IV, Trichy, 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 first petitioner shall stay at Thanjavur and report before the Vallam Police Station twice a day at 10:30 in the morning and 06:30 in the evening for a period of two weeks and thereafter as and when required for interrogation. The second petitioner shall report 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]**.

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/-

13/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, SESSIONS COURT COMPLEX POLICE STATION,
TRICHY CITY.

5 THE INSPECTOR OF POLICE, VALLAM POLICE STATION, THANJAVUR DISTRICT.

+1. CC to M/S.M.SARAVANAN Advocate SR.No.6846

+1CC to M/s.M.Subash Babu, Advocate in SR.7073

ORDER IN

CRL OP(MD) No.2359 of 2015

Date :13/02/2015

PBK 16/02/2015 ::2P-8C: