



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.23754 of 2014

1 SUBBIAH
2 PULAMADI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT.
CR.NO. 431 OF 2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 294(b), 324 and 506(ii) of IPC in Crime No.431 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.

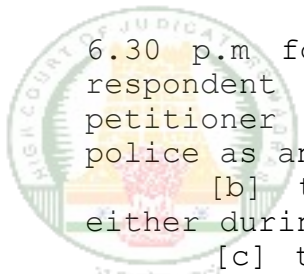
3. The case of the prosecution is that due to wordy quarrel the petitioners are alleged to have attacked the defacto-complainant and caused injuries.

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.

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, Srivaikundam 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

[a] the first petitioner shall stay at Thirunelveli and report before the Palam Police Station, Thirunelveli 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. The 2nd petitioner / Pulamadi being lady shall 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, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, ERAL POLICE STATION, THOOTHUKUDI DISTRICT.

5 THE INSPECTOR OF POLICE, PALAM POLICE STATION, TIRUNELVELI.

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.198

ORDER IN
CRL OP(MD) No.23754 of 2014
Date :06/01/2015

PBK 08/01/2015 ::2P-7C: