



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

Tuesday, the Twenty Second day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24455 of 2015

1 WIRELESS @ ALAGUMALAI
2 KUMAR
3 MURUGESAN
4 VINOTH

... PETITIONERS / ACCUSED 1 to 4

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL,
CR NO.1119 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.BALAKARTHICK Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

For Internever : MR.S.C.HEROLD SINGH,

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

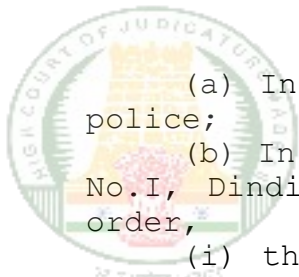
The petitioners, who are the accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for offences punishable under Sections 294(b), 323, 324 and 506(i) IPC in Crime No.1119 of 2015 on the file of the respondent police.

2. The case of the prosecution is that the petitioners have waylaid the de-facto complainant and that the first petitioner bit the middle finger of the defacto complainant and the other petitioners assaulted him with hands and threatened him with dire consequences.

3.The counsel for the petitioners submitted that the petitioners are innocent and due to family dispute, this false case has been foisted against the petitioners. Therefore, the petitioners may be granted the relief of anticipatory bail.

4. The Government Advocate (Crl. Side) opposed to the grant of anticipatory bail to the petitioners.

5.Considering the fact that the first petitioner used his teeth and chopped off the finger of the de-facto complainant, this Court is not inclined to grant the relief as sought by the first petitioner and this petitioners 2,3 and 4 is concerned, this Court is inclined to grant the relief sought by them and accordingly;



(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate No.I, Dindigul, within 15 days from the date of receipt of copy of the order,

(i) the petitioners 2,3 and 4 shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) the petitioners 2,3 and 4 shall be available for interrogation by the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

22/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.1
DINDIGUL

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE SUB INSPECTOR OF POLICE
DINDIGUL TALUK POLICE STATION,
DINDIGUL,

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.BALAKARTHICK Advocate SR.No.76179

ORDER

IN

CRL OP(MD) No.24455 of 2015

Date :22/12/2015

AM/22.12.2015/NGM.SS/SAR-I/2P/6C