



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

Thursday, the Twelfth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH
CRL OP(MD) No.2493 of 2015

1 THIRUSELVAM
2 BALAMURUGAN
3 MUTHUVEL
4 MUKTHEESWARAN
5 PETCHIMUTHU
6 PANDI
7 EE. MOOKKAN @ KARUPPASAMY
8 VELMURUGAN
9 DINESHKUMAR
10 MATHU @ KRISHNAMURTHY ... PETITIONERS/ACCUSED NOS.9 TO 11

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION, MADURAI DISTRICT
CRIME NO.28/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M. SOLAISAMY Advocate
For Respondent : M/S.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 offence punishable under Sections 147, 148, 294(b), 323, 506(ii) I.P.C and Section 4 of Women Harassment Act in Crime No.28 of 2015 on the file of the respondent police, seek anticipatory bail.

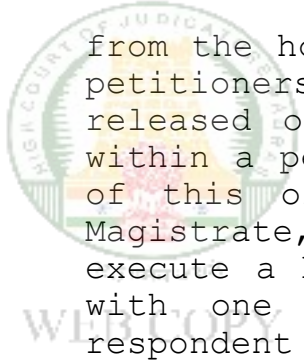
2. Heard the learned counsel for the petitioner and the learned Government Advocate for the State.

3. It is the case of the prosecution that the petitioners and the defacto complainant had a quarrel during unloading of sand.

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 there is no serious injury and the injured has been discharged from the hospital.

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 District Munsif cum Judicial Magistrate, Peraiyur on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety 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 Usilampatti and report before the Usilampatti Town Police Station 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].

[e] The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl. Side), whether these petitioners are complying with the order or not.

sd/-
12/02/2015

/ TRUE COPY /

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

TO

- 1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAIYUR
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION, MADURAI DISTRICT
- 5.THE OFFICER-IN-CHARGE, USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT

+1. CC to M/S.M. SOLAISAMY Advocate SR.No.6701
RL/7C - 16/2/2015

ORDER
IN
CRL OP(MD) No.2493 of 2015
Date :12/02/2015