



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

Monday, the Sixteenth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2495 of 2015

WEB COPY

1 DHANASEKARAN
2 GANGATHARAN
3 MATHAVAN
4 SUNDARAMOORTHY

... PETITIONERS/ACCUSED NO.1 TO 4

MUTHURAJ

... INTERVENER

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
MUDUKULATHOOR POLICE STATION,
RAMNAD DT, CRIME NO.25/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A. UTHAYAKUMAR Advocate

For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

For Respondent : MR.V.ANGUSAMY, Advocate

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

ORDER : The Court Made the following order :-

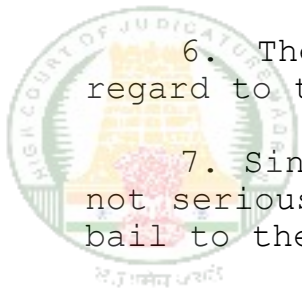
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C. in Crime No. 25 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners, the learned Government Advocate (Crl.Side) and the learned Counsel for the intervenor.

3. The case of the prosecution is that due to wordy quarrel, the petitioners attacked the defacto complainant by hands and caused simple injuries.

4. The learned Government Advocate (Crl.Side) would submit that it is the case and counter in Crime No.24 of 2015 and in the counter case, the accused were arrested and released on bail.

5. The learned Counsel for the petitioners seeks permission of this Court to withdraw this petition as regards the petitioners 1 and 2.



6. Therefore, this petition is dismissed as withdrawn with regard to the petitioners 1 and 2 concerned.

7. Since the allegations as against the petitioners 3 and 4 are not serious in nature, this Court is inclined to grant anticipatory bail to the petitioners 3 and 4

6. Accordingly, the petitioners 3 and 4 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, Mudukulathoor, Ramnad District, 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 3 and 4 shall report before the respondent police daily at 10.30a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioners 3 and 4 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 3 and 4 shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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 the petitioners are complying with the order or not.

sd/-
16/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHOOR
 - 2 THE CHIEF JUDICIAL MAGISTRATE RAMNAD DISTRICT
 - 3 THE SUB INSPECTOR OF POLICE MUDUKULATHOOR POLICE STATION,
RAMNAD DT,
 - 4 THE ADDL.PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.A. UTHAYAKUMAR Advocate SR.No.7370
+1 CC TO M/S.V.ANGUSAMY, Advocate SR.NO.6994

ORDER IN
CRL OP(MD) No.2495 of 2015
Date :16/02/2015