



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.2768 of 2015

1 GOVINDAN
2 KANNAN
3 AYYANAR

... PETITIONERS/ACCUSED 1 TO 3

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT.
CR. NO. 72/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S. MAHENDRAPATHY Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 offences punishable under Sections 341, 294(b), 324 and 506(ii) of Indian Penal Code in Crime No.72 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is alleged that the petitioners have attacked the *defacto* complainant with stone.

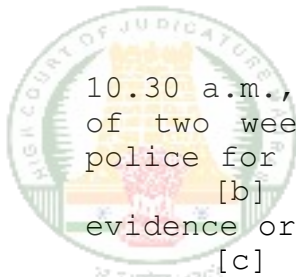
3. It is represented by the learned Government Advocate (Criminal Side) that the third petitioner by name Ayyanar has been arrested on 21.02.2015 and hence, the anticipatory bail application is dismissed as regards the third petitioner (Ayyanar).

4. Insofar as the other petitioners are concerned, it is represented by the learned Government Advocate (Criminal Side) that the injured has been discharged from the hospital and there is no previous case against them.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital and the first and second petitioners have no previous antecedent, I am inclined to grant anticipatory bail to them. Accordingly, the first and second 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, Karaikudi, on condition that they shall execute a separate 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:

<https://hcservices.ecourts.gov.in/hcservices/>

[a] the first and second petitioners shall stay at Sivagangai and sign before the Sivagangai Taluk Police Station twice a day daily at



10.30 a.m., in the morning and 06.30 p.m., in the evening for a period of two weeks and thereafter, as and when required by the respondent police for interrogation.

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

[c] the first and second 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 first and second petitioners in accordance with law as if the conditions have been imposed and they 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, Sivagangai Taluk Police Station is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the first and second petitioners are complying with the order or not.

sd/-

25/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAİKUDI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE
KARAİKUDI NORTH POLICE STATION, KARAİKUDI,
SIVAGANGAI DISTRICT.
- 4 THE OFFICER INCHARGE,
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S. MAHENDRAPATHY Advocate SR.No.8817

ORDER

IN

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Date :25/02/2015

PA/26.02.15/2P/7C