



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

Tuesday, the Seventeenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2789 of 2015

1 KARIKALAN
2 JEYA

... PETITIONERS/ACCUSED NOS.1&2

Vs

STATE REP BY
THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT,
CRIME NO.47/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S. M. MARAN Advocate
For Respondent : M/S.P.KANNITHEVAN
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 an alleged offence punishable under Sections 294(b), 355 and 506(i) IPC in Crime No.47 of 2015 on the file of the respondent police, seek anticipatory bail.

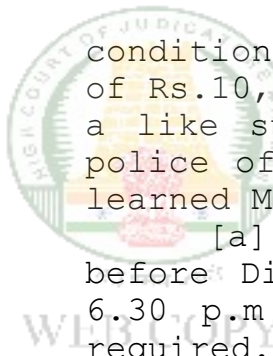
2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3.It is the case of the prosecution that the petitioners had quarrelled with the defacto complainant and assaulted the defacto complianant.

4. The learned counsel for the petitioners submitted that a false complaint has been lodged against the petitioners.

5. The learned Government Advocate submits that it is a case and counter and the defacto complainant and the petitioners belong to different community and he requested that the petitioners may be directed to stay at somewhere else.

6. Considering the facts and circumstances of the case, 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 No.1, Usilampatti, Madurai 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 first petitioner shall stay at Dindigul and appear before Dindigul Town Police Station daily twice at 10.30 a.m and 6.30 p.m for a period of two weeks and thereafter as and when required. The second petitioner shall appear before the respondent police as and when required.

[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]**. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-

17/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.1, USILAMPATTI
MADURAI DISTRICT

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3.THE OFFICER-IN-CHARGE
DINDIGUL TOWN POLICE STATION, DINDIGUL DISTRICT

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

5.THE INSPECTOR OF POLICE

USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT

+1. CC to M/S. M. MARAN Advocate SR.No.7862

RL/7C - 24/2/2015

ORDER

IN

CRL OP(MD) No.2789 of 2015

Date :17/02/2015