



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.3377 of 2015

1 OLI MOHAMED
2 ASIMA
3 MAGARIBA

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE,
PULITHIPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.22/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MATHAVAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

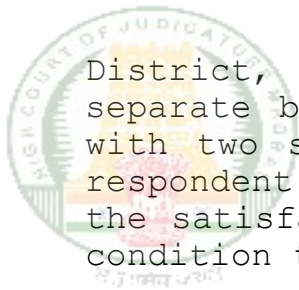
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) of Indian Penal Code in Crime No.22 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is alleged that the petitioners and the *defacto* complainant are neighbours and there was a land dispute between them, on account of which, this incident had taken place.

3. It is represented by the learned Government Advocate (Criminal Side) that this is the case and counter and counter case has been registered in Crime No.23 of 2015. There is no previous case against these petitioners. It is also represented that the injured in this Crime No.22 of 2015 has been discharged from the hospital, but, whereas, the third petitioner, who is also an injured in Crime No.23 of 2015, is still in the hospital.

4. Taking into consideration the facts and circumstances of the case, since there is no previous case against these petitioners, 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, Thiruppathur, Sivagangai



District, on condition that the petitioners 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:

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[a] the first petitioner alone shall report before the respondent police every day at 06.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation. The second and third petitioners shall report 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 a compliance report to the Office of the learned Government Advocate (Criminal side), whether the first petitioner is 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,
THIRUPPATHUR, SIVAGANGAI DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
 - 3 THE SUB INSPECTOR OF POLICE,
PULITHIPATTI POLICE STATION, SIVAGANGAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.G.MATHAVAN, Advocate SR.No.8851.

ORDER IN

CRL OP(MD) No.3377 of 2015

Date :25/02/2015