



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

Monday, the Second day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3671 of 2015

WEB COPY

1 MUTHU @ MUTHUMUNIASAMY

2 JOTHI @ JOTHI RAMESH ... PETITIONERS / ACCUSED NO.2 & 3

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

KOVILPATTI EAST POLICE STATION, THOOTHUKUDI

DT, CRIME NO.105/2015

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.G.THALAIMUTHARASU 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 an alleged offence punishable under Sections 342, 324 and 506 (ii) IPC in Crime No. 105 of 2015 seek anticipatory bail.

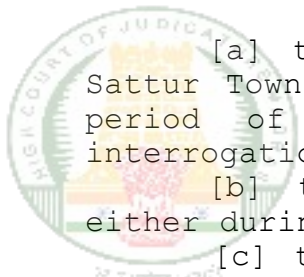
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent. The respondent police is also present.

3.The case of the prosecution is that at the time of wordy quarrel, the first accused tried to stab the defacto complainant and the same was defended by the defacto complainant.

4. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the respondent police.

5. The learned Government Advocate (Crl.sde) submits that injured has been discharged from hospital and the first accused was arrested and released on bail.

6. Considering the facts and circumstances of the case and considering the fact that injured has been discharged from 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 Judicial Magistrate No.I, Kovilpatti, 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 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 Sattur and they appear before Sattur Town Police Station daily twice at 10.30 a.m and 6.00 p.m for a period of two weeks and thereafter, 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]. 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/-
02/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I,KOVILPATTI.
 - 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION, THOOTHUKUDI DISTRICT.
 - 5.THE OFFICER INCHARGE,
SATTUR TOWN POLICE STATION. SATTUR.
- +1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.9862

ORDER
IN
CRL OP(MD) No.3671 of 2015
Date :02/03/2015

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