



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

Wednesday, the Eleventh day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4160 of 2015

1 RADHA
2 JEYA
3 ALAGESAN
4 SATHIYA

... PETITIONERS/ACCUSED 1 to 4

Vs

STATE REP BY THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION, THOOTHUKUDI DIST,
CRIME NO.63/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate
For Respondent : MR.A.P.BALASUBRAMANI 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), 323 of IPC and Section 4 of TNWH Act in Crime No.63 of 2015, seek anticipatory bail.

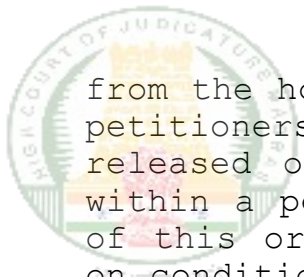
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondents.

3. The case of the prosecution is that due to previous enmity the petitioners are alleged to have assaulted the defacto-complainant and caused injuries.

4. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

5. The learned Government Advocate (Crl. Side) submits that the injured has been discharged from the hospital and investigation of the case is pending. He further submitted the counter case has been registered in Crime No.62 of 2015.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged



from the 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, Sattankulam on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 3rd petitioner shall appear before the respondent police daily at 6.30 p.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioners 1,2 and 4 are being ladies shall appear 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].

sd/-

11/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATTANKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN
- 3 THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION, THOOTHUKUDI
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.11751

ORDER

IN

CRL OP(MD) No.4160 of 2015

Date : 11/03/2015

AA/13.03.2015/2p- 6c/