



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

Friday, the Thirteenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4439 of 2015

WEB COPY

1 KAILAIVANAN
2 VAANISWARAN
3 BALAMURUGAN

... PETITIONERS/ACCUSED NO.1 TO 3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION,
KATTUPUTHUR,
TRICHY DISTRICT,
(CRIME NO. 81 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.JOEL PAUL ANTONY 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 :-

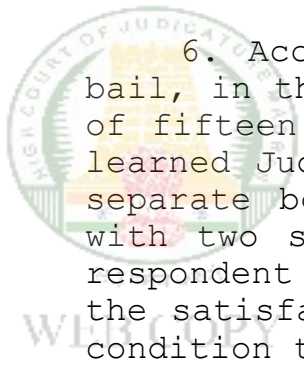
Apprehending arrest at the hands of the respondent police in Crime No.81 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 384 and 506(i) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. Boycott of Court against recognition of Tamil Nadu Advocate Association by the Bar Council. There is no representation for the petitioners.

3. Heard the learned Government Advocate(Crl. Side) appearing for the State.

4. The learned Government Advocate(Crl. Side) on instructions submits that this is a case and counter and the counter case is Crime No.80 of 2015. He would further submit that the injured has been discharged from the hospital and no previous case is pending against these petitioners.

5. It appears that the petitioners and the defacto complainant belong to different communities and they had clashed. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, but with conditions.



6. 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 this order, before the learned Judicial Magistrate, Musiri, Trichy District on executing 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,

(a) the petitioners shall stay at Karur and report before the Pasupathipalayam Police Station daily twice morning at 10.30 a.m., and evening at 6.30 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 compliance report to the office of the learned Government Advocate (Crl. Side), whether these petitioner is complying with the order or not.

sd/-
13/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MUSIRI
- 2 THE CHIEF JUDICIAL MAGISTRATE TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE KATTUPUTHUR POLICE STATION,
KATTUPUTHUR, TRICHY DISTRICT,
- 4 THE INSPECTOR OF POLICE, PASUPATHIPALAYAM POLICE STATION,
KARUR.
- 5 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.JOEL PAUL ANTONY Advocate SR.No.12560

ORDER

IN

CRL OP(MD) No.4439 of 2015

Date :13/03/2015