



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.4746 of 2015

1 OMAIYAN @ CHELLAMUTHU @ KADASAMY

2 SANTHI

... PETITIONER(S) / ACCUSED 1 & 3

Vs

THE STATE REP. BY THE SUB- INSPECTOR OF POLICE
SIRUGANUR POLICE STATION,
TRICHY DISTRICT.
(CR.NO. 66 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government 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.66 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, and 506(i) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

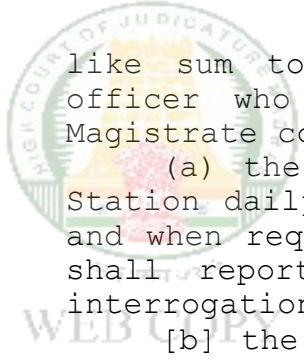
2. Boycott of Court against recognition of Tamil Nadu Advocate Association by the bar Council. There is no representation for the petitioners.

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

4. The learned Government Advocate(Crl. Side) on instructions submits that 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 District Munsif cum Judicial Magistrate, Lalgudi 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 first petitioner shall report before the respondent Police Station daily at 6.30 p.m., for a period of two weeks and thereafter as and when required for interrogation. The second petitioner being a lady, 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 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, LALGUDI.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

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

4 THE SUB- INSPECTOR OF POLICE
SIRUGANUR POLICE STATION, TRICHY DISTRICT.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.12505.

TS/17.03.2015/2P-6C

ORDER IN
CRL OP(MD) No.4746 of 2015
Date :13/03/2015