



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen
PRESENT

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

CRL OP(MD) No.5322 of 2015

WEB COPY

1 S.PONRAM
2 DHARANI

... PETITIONERS/ACCUSED RANK NOS.2 & 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
REDDIAR CHATHIRAM POLICE STATION,
DINDIGUL DT,
CRIME NO.4/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.LAWRANCE 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 the alleged offences punishable under Sections 304(ii) and 341 of Indian Penal Code, in Crime No.4 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side).

3. It is the case of the prosecution that Jayaprakash Narayanan (A-1) and the deceased, by name Ponram were neighbours and there was a land dispute between them. It is alleged that on 28.12.2014 a quarrel ensued and Jayaprakash Narayanan assaulted the deceased with wooden stick. Ponram was admitted in the hospital and was discharged from the hospital. Thereafter, he died on 06.01.2015. Initially, a case under Section 174 Cr.P.C., was registered and after post-mortem report, the case was altered into one under Sections 304(ii) and 341 IPC on 08.01.2015. According to the police, the death of Ponram on 06.01.2015 was on account of the injury that he had sustained on 28.12.2014. Jayaprakash Narayanan was arrested by the police on 10.01.2015 and this Court granted bail to him in Crl.O.P.(MD)No.2153 of 2015 on 11.03.2015. Incidentally, the name of the deceased is also Ponram and the first petitioner, who is the father of Jayaprakash Narayanan, is also Ponram. Dharani, the second petitioner herein is the wife of Jayaprakash Narayanan. The allegations against these petitioners are not very serious and it is stated that they were with Jayaprakash Narayanan, when the incident took place on 28.12.2014.

4. Under such circumstances, 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, Oddanchathiram, 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:

[a] the first petitioner alone shall appear before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation. The second petitioner 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]**.

[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/-
26/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ODDANCHATHIRAM, DINDIGUL DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 THE INSPECTOR OF POLICE
REDDIAR CHATHIRAM POLICE STATION, DINDIGUL DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.LAWRANCE Advocate SR.No.14951

ORDER
IN
CRL OP(MD) No.5322 of 2015
Date :26/03/2015