



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

Friday, the Twenty Seventh day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.5665 of 2015

1 VASAGAN
2 TAMILSELVAN

... PETITIONERS/ACCUSED NO.1 & 2

Vs

THE INSPECTOR OF POLICE
AARAVAYAL POLICE STATION, AARAVAYAL,
SIVAGANGAI DISTRICT. CR. NO. 43/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.KANNADHASAN 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 147, 148, 448, 294(b), 323 and 324 of Indian Penal Code, in Crime No.43 of 2015, on the file of the respondent police, seek anticipatory bail.

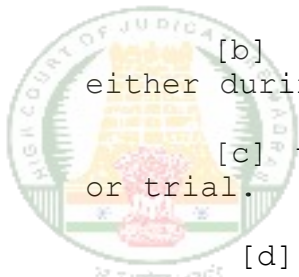
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent.

3. It is the case of the prosecution that there was a quarrel between the petitioners and the *defacto* complainant with regard to the parking of a JCB belonging to the petitioners in the property of the *defacto* complainant on 22.03.2015.

4. The learned Government Advocate (Criminal side) submits that the injured has been discharged from the hospital and there is no previous case against these petitioners.

5. 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, Devakkottai, 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 petitioners shall appear before the respondent police
<https://hcservicesrecords.gov.in/hcservices>, 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].

[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 petitioners are complying with the order or not.

sd/-
27/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, DEVAKKOTTAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
3. THE INSPECTOR OF POLICE
AARAVAYAL POLICE STATION, AARAVAYAL, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.KANNADHASAN Advocate SR.No. 15148

SR : 30.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.5665 of 2015
Date :27/03/2015