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

Tuesday, the Twenty Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.668 of 2015

1 PANDI
2 RAMANATHAN
3 RAJESH
4 MUTHU PETCHI
5 CHINNA KALAI
6 CHOKKAN
7 SEKAR ... PETITIONERS/ACCUSED 1,3,4,5,6,7 & 8

Vs

1 THE SUB INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION, MADURAI DISTRICT.
CRIME NO.17 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHICK 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 the alleged offences punishable under Sections 147, 294(b), 109, 323 and 506(i)I.P.C. in Crime No. 17 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(Crl.Side).

3. The case of the prosecution is that due to previous enmity, the petitioners abused the defacto complainant and attacked him with hands.

4. The learned Government Advocate(Crl.Side) would submit that the injured has already been discharged from the hospital and there is no previous case against the petitioners.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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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 a copy of this order, before the learned Judicial Magistrate, Melur on condition that each of the petitioner shall execute a 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 1 to 3 and 5 to 7 shall stay at Kunrakudi and report before the Kunrakudi Police Station twice a day daily at 10.30a.m. and 06.30p.m. for a period of two weeks and thereafter as and when required for interrogation and the fourth petitioner 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 Judicial 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 Judicial 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/-
27/01/2015

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

TO
1 THE JUDICIAL MAGISTRATE,MELUR
2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI
3 THE SUB INSPECTOR OF POLICE, KOTTAMPATTI POLICE STATION, MADURAI
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5 THE OFFICER INCHARGE, KUNDRAKUDI POLICE STATION, KUNDRAKUDI

+1. CC to M/S.M.S.JEYAKARTHICK Advocate SR.No.3818

ORDER IN
CRL OP(MD) No.668 of 2015
Date :27/01/2015

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