



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Twenty First day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.849 of 2015

1 AROCKIYASAMY
2 VINNARASI
3 ANTHONY
4 STEPHEN
5 SEBASTHIAMMAL

..PETITIONERS/ACCUSED 1 to 5

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
THONDI POLICE STATION,
RAMNAD DISTRICT.
CR. NO.195/2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.MOTHER LAND ASSOCIATES Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 341, 147, 294 (b), 323 and 506(i) I.P.C. and Section 4 of Women Harassment Act in Crime No. 195 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners attacked the defacto complainant and his family members.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offences as alleged in the F.I.R. and hence, seeks anticipatory bail to the petitioners.

4. The learned Government Advocate(Crl.Side) submitted that the injured person has already been discharged from the hospital.

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

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, Thiruvadanai, Ramnad District on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees <https://hcservices.hcservices.in/hcservices/>) with **one surety** 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 1,3 and 4 shall report before the respondent police daily at 10.30a.m. for a period of two weeks and thereafter as and when required for interrogation and the second 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/-

21/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUVADANAI, RAMNAD DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, RAMNAD.

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

4 THE INSPECTOR OF POLICE, THONDI POLICE STATION, RAMNAD DISTRICT.

+1. CC to M/S.MOTHER LAND ASSOCIATES Advocate SR.No.3301

ORDER IN

CRL OP(MD) No.849 of 2015

Date :21/01/2015

PBK 23/01/2015 ::2P-6C: