



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

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8941 of 2015

1 S.ASAITHAMBI

2 KATHIRAVAN

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

DEVAKOTTAI TALUK POLICE STATION,

SIVAGANGAI DIST.

CR.NO. 195/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.JOHN STEPHEN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

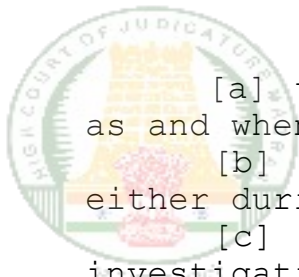
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 452 and 506(ii) IPC in Crime No.195 of 2015, seek anticipatory bail.

2. It is the case of the prosecution that due to civil dispute, there was a wordy quarrel between the petitioners and defacto complainant and the petitioners alleged to have attacked the defacto complainant.

3. It is represented by the learned Government Advocate (Crl.side) that no one has sustained injury and there is no previous case as against the petitioners. Taking into consideration the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

4. 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, Devakottai, 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 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 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 compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-

06/05/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,DEVAKOTTAI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE SIVAGANGAI.

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

4.THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DIST.

+1. CC to M/S.A.JOHN STEPHEN Advocate SR.No.25038

ORDER

IN

CRL OP(MD) No.8941 of 2015

Date :06/05/2015

RG.07.05.2015

2P.6C.