



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

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8985 of 2015

1 UDAYAKUMAR
2 VEERARAJAN
3 VIJAYAKUMAR
4 KUMAR @ PREMKUMAR
5 ALLIRANI

... PETITIONERS/ACCUSED No.1 to 4 & 6

Vs

STATE REP BY THE INSPECTOR OF POLICE
SETHUPAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT. (CR.NO.61 OF 2015)... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BAALASUNDHARAM 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 an alleged offence punishable under Sections 147, 148, 294(b), 342, 323, 324 and 307 IPC r/w section 4 of TN Prohibition of women Harassment Act, 2012 in Crime No.61 of 2015, seek anticipatory bail.

2. It is the case of the prosecution that there was a dispute between the petitioners and defacto complainant with regard to pathway and on account of which, the petitioners had allegedly attacked the de-facto complainant. It is a case and counter.

3. It is represented that the injured had been discharged from the hospital 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, to the Judicial Magistrate, Pattukottai, 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 4 shall report before the respondent Police Station everyday at 10.30 a.m. and 6.30 p.m. for a period of four weeks and thereafter as and when required for interrogation. The 5th petitioner being a lady shall appear before the respondent police as and when required.

[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

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE, SETHUPAVACHATHIRAM POLICE STATION,
THANJAVUR
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.BAALASUNDHARAM Advocate SR.No.25100

ORDER

IN

CRL OP(MD) No.8985 of 2015

Date : 06/05/2015

AA/07.05.2015/2p- 6c/