



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.8987 of 2015

1 S.PADMANABAN

2 P.LAKSHMI

3 R.JEYARAMAN

..PETITIONERS/ACCUSED 1 to 3

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE

AUSTINPATTI POLICE STATION,

MADURAI DISTRICT.

(CR.NO.142 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN 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 :-

Apprehending arrest at the hands of the respondent police in Crime No.142 of 2015 on the file of the respondent police for offences under Sections 323, 355, 294(b), 506(ii) of I.P.C. and Section 4 of Tamil Nadu Women Harassment Act, the petitioners are now before this Court seeking Anticipatory Bail.

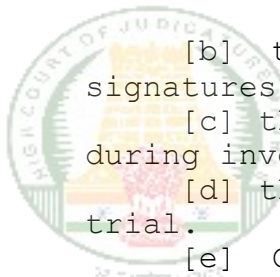
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side).

3. It appears that the petitioners' family and the de-facto complainant's family had fought and in the fight, it is stated that the petitioners had used broom to beat the de-facto complainant.

4. The learned Government Advocate (Crl.side) submitted that no one sustained injury in the alleged occurrence.

5. Taking into consideration the fact that the petitioners and the de-facto complainant are neighbours and the civil dispute is pending between them, this Court is of the view that this is a fit case for granting 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, Thirumangalam, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 first petitioner shall report before the respondent police for a period of two weeks and thereafter as and when required for interrogation and the petitioners 2 and 3 shall report before the respondent police as and when required.



[b] the petitioners shall give their thumb impression, specimen signatures and handwritings.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

[f] The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.side), whether the petitioners are complying with the order or not.

sd/-

06/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE SUB INSPECTOR OF POLICE, AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.25195

ORDER IN

CRL OP(MD) No.8987 of 2015

Date :06/05/2015

PBK 11/05/2015 ::2P-6C: