



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.925 of 2015

- 1 KATTURAJA
- 2 PANDIAMMAL
- 3 VENNILA
- 4 SATHIYA
- 5 AJITH PANDI
- 6 THAYAMMAL
- 7 MUTHU
- 8 ANANTHAN
- 9 THAMIL AZHAGAN
- 10 SAMINATHAN
- 11 CHANDRA
- 12 AZHAGU
- 13 SHOBANA
- 14 MANIMEHALAI
- 15 KALLIAMMAL
- 16 BALAMURUGAN
- 17 ILAYARAJA

... PETITIONERS/ACCUSED NOS.1,2,5 TO 19

Vs

STATE REP BY
THE INSPECTOR OF POLICE
UTHAPANAYAKKANUR POLICE STATION, MADURAI DISTRICT.
CRIME NO. 9/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.MARAN Advocate
For Respondent : M/S.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 the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C. and Section 4 of TNPWH Act in Crime No. 9 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 during the pongal festival, these petitioners had quarrelled with another group and attacked the defacto complainant.

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.

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 No.II, Usilampatti 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, 3, 5, 7 to 10, 16 and 17 shall stay at Periyakulam and report before the Thenkarai 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 petitioners 2, 4, 6, 11 to 15 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

/ TRUE COPY /



1. THE JUDICIAL MAGISTRATE NO. II
USILAMPATTI

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2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3. THE OFFICER-IN-CHARGE
THENKARAI POLICE STATION
PERIYAKULAM
THENI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

5. THE INSPECTOR OF POLICE
UTHAPANAYAKKANUR POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.M.MARAN Advocate SR.No.3682

RL/7 C- 29/1/2015

ORDER
IN
CRL OP (MD) No.925 of 2015
Date :27/01/2015