



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

Wednesday, the Nineteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15596 of 2015

1 RAJA
2 SENTHIL KUMAR
3 DHANASEKARAN
4 KARTHICK
5 KANNAN
6 PERUMAL
7 ANAND
8 RAJENDRAN
9 VEERAMMAL

... PETITIONERS / ACCUSED
NO.4,1,2,3,5,8,10,7,12

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
UPPILIYAPURAM POLICE STATION, TRICHY DISTRICT.
CRIME NO.227 OF 2015

... RESPONDENT / COMPLAINANT

GANESAN

... INTERVENOR/PETITIONER/COMPLAINANT

For Petitioner : M/S R.ALAGUMANI Advocate
For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)
For Intervenor : Mr.M.PalaniRaja

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 148, 341, 294(b), 324, 323, 307 and 379 of IPC, in Crime No.227 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Ganesan, that on 31.07.2015 at about 9.30 a.m, when he was going on his two wheeler, the accused over took his motor bike and waylaid him and attacked with patta knife and wooden logs on the head and back side of the de-facto complainant and the one of the accused Raja had taken away Rs.2,00,000/- cash, 2-1/2 sovereigns of jewels and three cell phones.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the de-facto complainant is one of the accused in the complaint given by A4 in this case, in Crime No.198 of 2015 and there was no such occurrence had taken place and the entire allegation made by the de-facto complainant is imaginary one.

<https://hcmis.courts.madras.gov.in/hcmiservices/>

4.Mr.M.Palaniraja, learned counsel appearing for the intervenor



vehemently opposed granting of anticipatory bail to the petitioners contending that some of the co-accused were arrested and they are in custody and the stolen articles have not been recovered from the petitioners and A1 has involved in one previous case in Coimbatore and therefore, custodial interrogation of the petitioners is very much required.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners are not having any previous case.

6.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thuraiyur and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall stay at Madurai and appear before the Matichiyam Police station daily at 10.30 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY DIST
- 3 THE INSPECTOR OF POLICE
UPPILYAPURAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICERS INCHARGE
Matichiyam Police station, MADURAI

+1. CC to M/S R.ALAGUMANI Advocate SR.No.48001
+1cc to Mr.M.PalaniRaja, Advocate SR.no.48544

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ORDER
IN
CRL OP(MD) No.15596 of 2015
Date :19/08/2015