



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10232 of 2016

1 AJITH
2 VINISTON

... PETITIONERS/ ACCUSED
RANK 1 AND 6

Vs

THE INSPECTOR OF POLICE
SOUTH POLICE STATION
THOOTHUKUDI DISTRICT
CR.NO.704 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.M.MANIVELPANDIAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

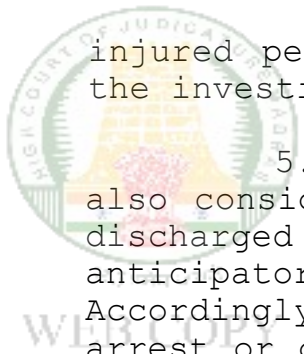
The petitioners, who are arrayed as Accused Nos.1 and 6, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148,294(b),307 and 506(ii) of IPC and Section 4 of TNPWH Act and Section 3 of TNPPDL Act, 1992 in Crime No.704 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused entered into the shop of the defacto complainant and assaulted the defacto complainant and his wife with deadly weapons and also abused them in filthy language. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 04.06.2016 and prays for enlarging the petitioners on bail.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate(Crl.side) submitted that the



injured persons had already been discharged from the hospital and the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they 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.I, Thoothukudi, on condition that each of the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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]**.

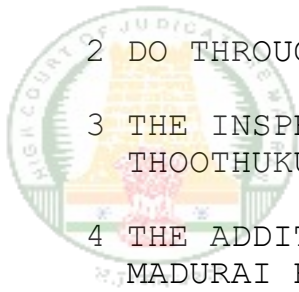
6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
24/06/2016

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE SOUTH POLICE STATION
THOOTHUKUDI DISTRICT

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

+1. CC to M/S M.M.MANIVELPANDIAN Advocate SR.No.32711

ORDER

IN

CRL OP (MD) No.10232 of 2016

Date :24/06/2016

SDR/NGM-MP/SAR II/28.06.2016/3P/6C