



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

Wednesday, the Twenty Ninth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10361 of 2016

1 KRISHNAN @ KRISHNAKUMAR
2 SENTHIL @ SENTHIL KUMAR

... PETITIONERS/ACCUSED No.2&6

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.
CR.NO.164/2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.V.CHANDRAPANDI, ADVOCATE

FOR RESPONDENT : MR.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

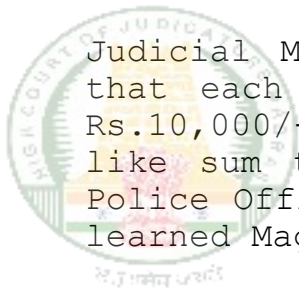
The petitioners, who are arrayed as Accused Nos.2 and 6, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 294(b), 341, 323, 324 and 506(ii) I.P.C., read with Section 4 of Women Harassment Act, in Crime No.164 of 2016, on the file of the respondent Police and hence, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioners waylaid the *de-facto* complainant and attacked him with iron rod and abused him in filthy language and also threatened him with dire consequences. On complaint, a case has been registered for the offences stated above.

3. The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution and it is a case and case in counter.

4. The learned Government Advocate (Criminal side) submitted that the injured has been discharged from the hospital.

5. Taking into consideration the fact that the injured has been discharged from the hospital, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners. 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, Thirumangalam, Madurai District, 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 10.00 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/-
29/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S C.BETHANASAMY Advocate SR.No. 34287