



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10770 of 2016

1 ESAKKI @ CHINNA ESAKKI

2 SELVARANI ... PETITIONERS / ACCUSED NO.1 & 4

Vs

THE STATE REP.BY

THE SUB INSPECTOR OF POLICE

KEELARAJAKULARAMAN POLICE STATION,

VIRUDHUNAGAR DISTRICT,

CRIME NO. 149/2016. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S V.RAMALINGAM Advocate

For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

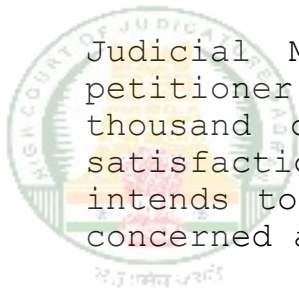
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147, 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Harassment of Women Act in Crime No.149 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute the petitioners are alleged to have attacked the defacto-complainant and also abused her in filthy language. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submits that it is a simple injury and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that it is a simple injury, I am inclined to grant 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, Rajapalayam 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 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 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].

sd/-

30/06/2016

/ TRUE COPY /

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

TRP
TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE
KEELARAJAKULARAMAN POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.MUNIYANDI Advocate SR.No.34311

GJM/SKS/RR/SAR-I-4.7.16-2P-6C

ORDER

IN

CRL OP(MD) No.10770 of 2016

Date :30/06/2016