



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13009 of 2016

1 D.S.A. SIVAPRAKASAM
2 ANANTH @ ANANTHARAJ
3 HARIRAM
4 MUTHUVIGNESH
5 PONRAJ
6 POORAJ
7 SUBBURAJ

... PETITIONERS/ACCUSED No.1to7

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.RAMASAMY 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 :-

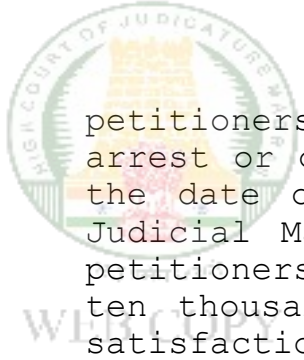
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147, 294(b), 506(i) and 120(b) of IPC in Crime No.97 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive at the time of temple festival, the petitioners attacked the defacto complainant and also abused him 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) submitted that no one has sustained injury and investigation of the case is pending. He further submitted that the petitioners are having previous cases in similar offences.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained 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, Cheranmahadevi 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 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 daily at 10.00 am and 5.00 pm until further orders.

[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].

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 condition or not.

sd/-

02/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE, MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/S.P.RAMASAMY, Advocate, SR No.41416

ORDER

IN

CRL OP(MD) No.13009 of 2016

Date :02/08/2016