



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

WEB COPY

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

CRL OP(MD) No.13571 of 2016

1 SARAVANAN
2 RAJA
3 HARI KRISHNAN

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
OOMATCHIKULAM POLICE STATION,
MADURAI DISTRICT.
(CR.NO.119 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S J.LAWRANCE, 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, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 147, 148, 341, 323, 324, 506(ii) and 109 IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.119 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 26.03.2016, due to civil dispute, A.1, A.2, One Kumar, Selvam, Vijayakumari and 15 others attacked the de facto complainant and his wife and caused injuries and threatened them with dire consequences. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. Their names are not found place in the FIR and they have been falsely implicated in this case. They have nothing to do with the alleged occurrence.



4.The learned Government Advocate (Criminal side) submitted that on the confession given by the co-accused, the petitioners have been arrayed A.5, A.6 and A.4 in this case and investigation has been completed and charge sheet has been filed before the Additional Mahila Court, Madurai on 15.07.2016 and not yet taken on file.

5.Considering the facts and circumstances of the case and also considering the fact that the occurrence tookplace on 26.03.2016 and charge sheet has been filed, 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, Additional Mahila Court, Madurai, 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:

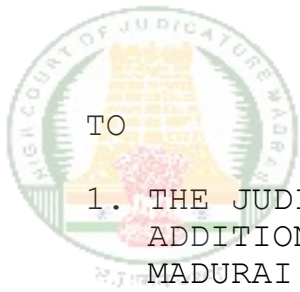
- (i) the petitioners shall report before the said Court in all future hearings regularly.
- (ii)the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii)the petitioners shall not abscond either during investigation or trial.
- (iv)On breach of any of the 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/-
02/08/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT,
MADURAI.
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
OOMATCHIKULAM POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S J.LAWRANCE Advocate SR.No. 41359

ORDER
IN
CRL OP(MD) No.13571 of 2016
Date :02/08/2016

SMN

TE/ARK-PV/SAR-I : 04/08/2016 : 3P/6C