



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

WEB COPY

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

CRL OP (MD) No.14540 of 2016

1 K. MURUGAESHAN
2 P. SAVATHIRI
3 S. RAMASAMY
4 N. KOSILIYADEVI
5 S. RAMALINGAM

... PETITIONERS/ACCUSED No.1 to 5

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
THENNILAI POLICE STATION,
KARUR DISTRICT.
(CRIME NO. 126 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.K.P.S.PALANIVEL RAJAN, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)
FOR INTERVENOR : MR. THALAIMUTHURASU, ADVOCATE

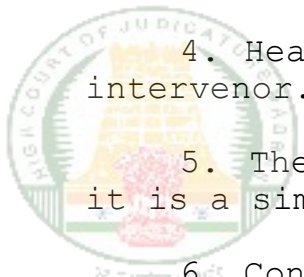
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,148,294(b),324 and 506(ii) of IPC in Crime No.126 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners attacked the defacto complainant and abused him in filthy language and also threatened him with dire consequences. 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. Heard Mr. Thalaimuthurasu, the learned counsel appearing for intervenor.

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

6. 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 No.II, Karur, Karur District and 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 1,3 and 5 shall report before the Inspector of Police, Aravakurichi Police Station daily at 10.00 am until further orders and the petitioners 2 and 4 shall appear 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].

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/-
11/08/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II, KARUR,

2. THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3. THE INSPECTOR OF POLICE,
THENNILAI POLICE STATION,
KARUR DISTRICT.

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

5. THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION,
ARAVAKURICHI.

+ 1 CC TO MR.K.P.S.PALANIVEL RAJAN, ADVOCATE IN SR No. 43975

ORDER

IN

CRL OP(MD) No.14540 of 2016

Date :11/08/2016

TRP

TE/SK-SKN/SAR-I : 17/08/2016 : 3P/7C