



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

Tuesday, the Twenty Seventh day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.18283 of 2016

1 PERIYASAMY,
(*) 2 KARUPPASAMY

3 GANESAN, ... PETITIONERS / ACCUSED Nos.1 to 3

Vs

State represented by
THE INSPECTOR OF POLICE,
KAMUDHI POLICE STATION, RAMANATHAPURAM DISTRICT
IN CRIME NO.309 OF 2016 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

For Respondent : Mr.K.V.Rajarajan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as Accused Nos.1 to 3, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 147, 148, 341, 294(b), 324 and 307 IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.309 of 2016 on the file of the respondent police.

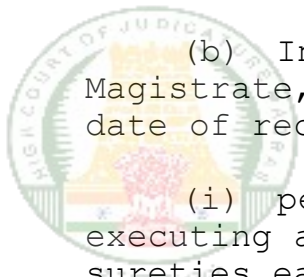
2.The case of the prosecution is that due to previous motive, the petitioners attacked the defacto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.Learned Government Advocate (Crl. Side) submits that after discharge from the Government hospital, the defacto complainant has admitted in a private hospital and no previous case is pending against the petitioners.

5.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;



(b) In the event of appearance before the learned Judicial Magistrate, Kamudhi, Ramanathapuram District within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required.

sd/-
27/09/2016

**(*) AMENDED AS PER ORDER OF THIS
HON'BLE COURT DATED 07.10.2016 AND
MADE IN CRL.MP(MD)NO.9828/2016 IN
CRL.OP(MD)NO.18283/2016 BY DKKJ**

Sd/-
07.10.2016

**(*) TIME FOR EXECUTING THE SURETIES
IS EXTENDED FOR A PERIOD OF TWO WEEKS
FROM THE DATE OF RECEIPT OF A COPY OF
THIS ORDER**

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KAMUDHI, RAMANATHAPURAM DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
KAMUDHI POLICE STATION, RAMANATHAPURAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.60345
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RL/6C/2P/SKS/RR/SAR3/19.10.20166