



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

Tuesday, the Eighteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18611 of 2016

1 AJMEER

2 ABDUL AJEESH

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,

MELUR POLICE STATION,

MADURAI DISTRICT.

(IN CR.NO.893 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.KANDHA VADIVELAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, 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 the alleged offence punishable under Sections 147, 448, 294(b), 323, 324, 379(NH) IPC in Crime No.893 of 2016 on the file of the respondent police, seek anticipatory bail.

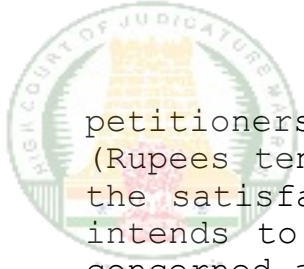
2.Heard the learned counsel on either side.

3.The case of the prosecution is that the defacto complainant and the petitioners are neighbours and there was wordy quarrel between them and the petitioners and other accused had beaten the defacto complainant.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and their names were not mentioned in FIR and prays for anticipatory bail in favour of the petitioners.

5.The learned Government Advocate (Crl.side) submitted that injured had already been discharged from hospital.

6.Considering the facts and circumstances of the case, 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, Melur, Madurai District, on condition that the



petitioners shall execute a separate 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 10.30 a.m 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]**.

sd/-

18/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, MELUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.G.KANDHA VADIVELAN Advocate SR.No.61641

ORDER IN

CRL OP(MD) No.18611 of 2016

Date :18/10/2016

PBK/CK/SAR-I 25/10/2016 ::2P-6C: