



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

Monday, the Third day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

WEB COPY

CRL OP(MD) Nos.18752,18803 and 18899 of 2016

BATCHA @ P.MUNIYASAMY	... PETITIONER/ACCUSED RANK NOT KNOWN IN CRL OP(MD) No.18752 of 2016
A.VALLARASU	... PETITIONER/ACCUSED RANK NOT KNOWN IN CRL OP(MD) No.18803 of 2016
MURUTHUPANDIAN	... PETITIONER/ACCUSED RANK NOT KNOWN IN CRL OP(MD) No.18899 of 2016

Vs

THE STATE REP.
THE INSPECTOR OF POLICE,
ELANJAMBUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.72/2016

... RESPONDENT/COMPLAINANT IN
ALL THE PETITIONS

For Petitioner : M/S.N.R.ELANGO, Senior Counsel for
MR.P.THILAK KUMAR Advocate IN
CRL OP(MD) No.18752 of 2016

For Petitioner : M/S.C.ARUL VADIVEL @ SEKAR, Advocate IN
CRL OP(MD) Nos.18803 and 18899 of 2016

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)
IN CRL OP(MD) No.18752 of 2016

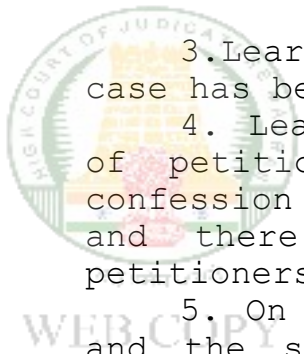
For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)
IN ACRL OP(MD) Nos.18803 and 18899 of 2016

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

ORDER : The Court Made the following order :-

Petitioners/accused, 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), 323, 324, 506(ii) and 302 IPC in Crime No.72 of 2016 on the file of the respondent police.

2.The case of the prosecution is that the accused waylaid the deceased and defacto complainant and attacked with iron rod, stick and caused grievous injuries.



3. Learned Government Advocate (Crl. Side) would submit that the case has been altered into for offence under Section 302 IPC.

4. Learned counsel for the petitioners submits that the names of petitioners have not been mentioned in FIR and based on confession of one Prabhu, they were wrongly implicated in this case and there is no specific overt act attributed against the petitioners except the petitioners are inducers of offence.

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 Judicial Magistrate, Mudhukulathur, 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.20,000/- (Rupees twenty 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 them from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall appear before respondent police daily at 10.30 a.m until further orders.

sd/-

03/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDHUKULATHUR, RAMANATHAPURAM DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ELANJAMBUR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/S.C.ARUL VADIVEL @ SEKAR, Advocate SR.Nos.58001 & 58002.

+1 cc to MR.P.THILAK KUMAR Advocate SR.NO.57881

CM

CSL/CK/SAR-III/03.10.2016: 2P/7C

ORDER

IN

CRL OP(MD) Nos.18752,18803 and 18899 of 2016

Date :03/10/2016