



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

Friday, the Thirtieth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.18918 of 2016

1 K.POTHIRAJ
2 K.MUNIASAMY

... PETITIONERS / ACCUSED No.1&2

Vs

THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION,
TUTICORIN DISTRICT
(Crime No.86/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.BANUPRASATH Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, 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, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 323, 324, 294(b) and 506(ii) IPC in Crime No.86 of 2016 on the file of the respondent police.

2.The case of the prosecution is that due to some dispute, the petitioners abused the de facto complainant in filthy language, attacked him with stick and threatened him with dire consequences.

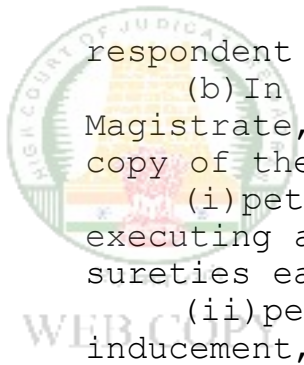
3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

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

5.Learned Government Advocate (Crl. Side) submits that injured person has already been discharged from the hospital and no previous case is pending against the petitioners.

6.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, Vilathikulam, 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 concerned Court daily at 10.30 a.m. until further orders.

sd/-

30/09/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
VILATHIKULAM

2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN

3 THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION, TUTICORIN DISTRICT

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

+1. CC to M/S.P.BANUPRASATH Advocate SR.No.57504

JAM/06.10.16/PV/SAR II/2P-6C

ORDER

IN

CRL OP(MD) No.18918 of 2016

Date :30/09/2016