



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

Wednesday, the Fifth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.19205 of 2016

1 N.PREMKUMAR

2 N.ASHOKKUMAR

3 K.NATARAJAN,

4 N.ESAKKIAMMAL

5 M.MUTHAMMAL

... PETITIONERS/ACCUSED Nos.2,3,4,8,9

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.289 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.LAJAPATHI ROY Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

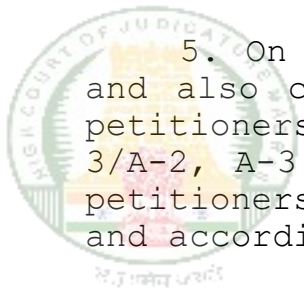
ORDER : The Court Made the following order :-

Petitioners/accused Nos.2, 3, 4, 8 and 9, 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), 302, 506(ii) IPC in Crime No.289 of 2016 on the file of the respondent police.

2.The case of the prosecution is that the petitioners/accused criminally conspired and wrongfully restrained the deceased, attacked him with aruval and caused grievous injuries.

3.Learned Government Advocate (Crl. Side) would submit that A-1, A-5, A-6, A-7 and A-10 in this case were already arrested and the investigation is in initial stage.

4. Learned counsel for the petitioners submits that though the names of petitioners are mentioned in the F.I.R, they are not at all involved in the offence.



5. On consideration of the facts and circumstances of the case and also considering the specific overt act alleged against these petitioners, this Court is of the view that the petitioners 1 to 3/A-2, A-3 and A-4 cannot be granted the relief prayed for and the petitioners 4 and 5/A-8 and A-9 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, No.III, Tirunelveli District within 15 days from the date of receipt of copy of the order,

(i) petitioners 4 and 5/A-8 and A-9 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 4 and 5/A-8 and A-9 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 4 and 5/A-8 and A-9 shall appear before the jurisdictional court once in a week I.e on every Monday at 10.30 a.m until further orders.

sd/-
05/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE,
TIRUNEVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT

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

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.59467

ORDER
IN
CRL OP(MD) No.19205 of 2016
Date :05/10/2016