



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

Friday, the Fourteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19877 of 2016

1 DHARMARAJ
2 KASTHURI
3 MARIAMMAL

... PETITIONERS/ACCUSED Nos.1 to 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO.70/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, 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 294(b), 323, 506(i) IPC and Section 4 of Women Harassment Act in Crime No.70 of 2016 on the file of the respondent police.

2.The case of the prosecution is that due to wordy quarrel between the petitioner and the de facto complainant, the petitioners attacked the de facto complainant by hands and threatened him with dire consequences.

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 injured person has already been discharged from the hospital. He would further submit that no previous case is pending against the petitioner.



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 No.II, Kovilpatti, 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) the 1st petitioner shall report before the respondent police daily at 10.30 a.m. for two weeks and thereafter as and when required and the petitioners 2 and 3 shall report before the respondent police as and when required.

sd/-

14/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

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

4 THE INSPECTOR OF POLICE
KOPPAMPATTI POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.60981

ORDER

IN

CRL OP(MD) No.19877 of 2016

Date :14/10/2016

AM/SKS.RR/SAR-I/19.10.2016/2P/6C