



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

Wednesday, the Nineteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.19959 of 2016

1 PUSPARAJ
2 MAYIL
3 GANESH
4 SENTHIL

... PETITIONERS / ACCUSED Nos.A1,A2,A7&A9

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
THISAIYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT
IN CRIME NO.262/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.PADMA RAJ Advocate

For Respondent : Mr.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

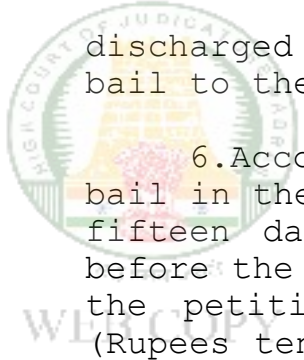
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 342, 294(b), 323, 307 and 506(ii) IPC in Crime No.262 of 2016 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that during Kodai festival, due some dispute arose between the de facto complainant and the petitioners and other accused persons, the petitioners attacked the de facto complainant by using blade.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the co accused has already been enlarged on bail.

4.The learned Government Advocate(Crl. Side) would submit that injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person has already been



discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, on condition that the petitioners shall execute a 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 are directed to **stay at Thiruthuraipoondi** and shall **report before the Thiruthuraipoondi Police Station daily at 10:30 am** for a period of 15 days and thereafter, before the respondent Police 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/-
19/10/2016

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

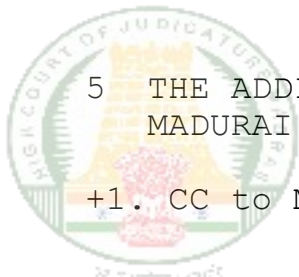
TO

1 THE JUDICIAL MAGISTRATE
NANGUNERI, TIRUNELVELI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI

3 THE INSPECTOR OF POLICE
THISAIYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT

4 THE OFFICE INCHARGER,
<https://hcservices.ecourts.gov.in/hcservices/>
Thiruthuraipoondi Police Station,
Thiruthuraipoondi



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

+1. CC to M/S.C.PADMA RAJ Advocate SR.No.61431

JAM/20.10.16/CK/SAR 2/3P-7C

ORDER

IN

CRL OP (MD) No.19959 of 2016

Date :19/10/2016