



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.19962 of 2016

1 SELVAM

2 SWATHY

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

NAGAMALAI PUDUKOTTAI POLICE STATION,

NAGAMALAI PUDUKOTTAI,

MADURAI -19.

CR NO. 541 OF 2016.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government 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 294(b), 323, 448 and 506(i) of I.P.C., in Crime No.541 of 2016 on the file of the respondent police, seek anticipatory bail.

2. It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioners.

3. The learned Government Advocate (Crl.side) submitted that due to family dispute, the petitioners are said to have attacked the de-facto complainant with hands and no one sustained injury in the alleged occurrence.

4. Considering the facts and circumstances of the case and also considering the fact that no one sustained injury in the alleged occurrence, I am inclined to grant anticipatory bail to the petitioners. 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 No.VI, Madurai 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:

<https://hcservices.ecourts.gov.in/hcservices/>

[a] the first petitioner shall report before the respondent



Police daily at 10:30 am until further orders and the second petitioner being a lady shall appear before the respondent police daily at 10.30 a.m. for a period of one week and thereafter as and when required.

[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

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE,MADURAI.

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

4 THE INSPECTOR OF POLICE, NAGAMALAI PUDUKOTTAI POLICE STATION,
NAGAMALAI PUDUKOTTAI, MADURAI -19.

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.61573

ORDER IN

CRL OP(MD) No.19962 of 2016

Date :19/10/2016

PBK/KM/SAR-I 25/10/2016 ::2P-6C: