



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

Thursday, the Twentieth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20107 of 2016

1 N.S.M.NAJMUDEEN

2 NASRUL JHAN

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

CRIME No.214 of 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONERS: M/S.G.MATHAVAN, ADVOCATE

FOR RESPONDENT : Mr.A.P.BALASUBRAMANI, GOVERNMENT ADVOCATE (CRL.SIDE)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506 (ii) IPC in Crime No.214 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to property dispute, the petitioners attacked the defacto complainant and caused grievous injury.

4.It is the case of the petitioners that they are innocent and they have been falsely implicated in this case. It is his further submission that it is a case in counter.

5.Learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital.

6.Taking note of the facts and circumstances of the case, as the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, Pudukkottai District subject to the



following conditions:

(i) each of 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 Magistrate concerned;

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-
20/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI, PUDUKKOTTAI DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.MATHAVAN Advocate SR.No. 62383

ORDER IN
CRL OP(MD) No.20107 of 2016
Date :20/10/2016