



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.20113 of 2016

1 MUTHUPANDI

2 GANDHI

... PETITIONERS/ACCUSED NO.1 & 4

Vs

THE STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO.160 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506 (ii) IPC r/w 109 IPC in Crime No.160 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 previous enmity, the petitioners are alleged to have attacked the defacto complainant and abused him with filthy language and threatened him with dire consequences.

4.Learned counsel for the petitioners submitted that the petitioners are innocent of the offence alleged against them.

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 No.II, Sivagangai, Sivagangai 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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.
2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
3 THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION, SIVAGANGAI DISTRICT
4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.63076
PS
CSL/SS-2/SAR-III/26.10.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.20113 of 2016
Date :20/10/2016