



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

Friday, the Twenty First day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20162 of 2016

1 AYYAVU @ VELMURUGAN, S/O.KRISHNAN,
2 KARUPPIAH, S/O.KRISHNAN,
3 BALAMURUGAN, S/O.KRISHNAN,
4 KRISHNAN, S/O.VELUTHEVAR
5 VEERAMAKALI, W/O.KRISHNAN
ALL ARE RESIDING AT
SEMPONNERUNJI,
ANAIKULAM POST, TIRUCHULI TALUK,
VIRUDHUNAGAR DISTRICT.

...PETITIONERS/ACCUSED 1 to 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
TIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.254 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SENTHIL AYYANAR 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 :-

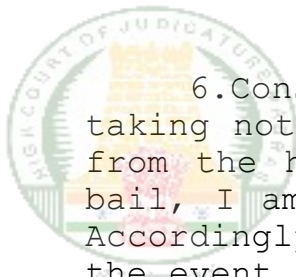
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 354 and 506(ii) IPC, in Crime No.254 of 2016, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that the petitioners along with the other accused attacked the de facto complainant with deadly weapons and caused injury.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners. The accused 6 to 8 were already granted anticipatory bail, by this Court vide order dated 22.09.2016 made in Crl.O.P(MD)No.18117 of 2016. The second petitioner is a Law College Student, studying First Year in Central Law College, Salem.

5.The learned Government Advocate (Crl.side) submitted that injured person has been discharged from the hospital.



6. Considering the facts and circumstances of the case and also taking note of the fact that the injured person has been discharged from the hospital and co-accused were already granted anticipatory bail, 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, Aruppukottai, on condition that 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 learned Magistrate concerned and on further condition that:

[a] the petitioners 1 and 3 to 5 shall report before the respondent Police daily at 10:30 am until further orders. The second petitioner must attend the classes in Central Law College, Salem, regularly and the copy of the Attendance Register should be produced to the Registry of this court once in three months by the College. In case of any absence, the second petitioner shall give reason in writing to the Principal of the College.

[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/-

21/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE AUTHORIZED OFFICER, CENTRAL LAW COLLEGE, SALEM.
 - 5 THE INSPECTOR OF POLICE, TIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S.M.SENTHIL AYYANAR Advocate SR.No.62584.

ORDER

IN

CRL OP(MD) No.20162 of 2016

Date : 21/10/2016