



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20904 of 2016

1 ENTHADIMUTHU

2 RAVI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE,
TIRUCHENDUR TEMPLE POLICE STATION,
THOOTHUKUDI DISTRICT.

CRIME NO.316 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.ROBINSON Advocate

For Respondent : MRS.S.PRABHA, 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), 323 and 506 (ii) of IPC and Section 4 of Women Harassment Act in Crime No.316 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 civil dispute, the petitioners abused the defacto complainant with filthy language and pushed him down and threatened him with dire consequences.

4.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) submitted that the injured has been treated as out patient.

6.Taking note of the facts and circumstances of the case, as the injured has been treated as out patient, this Court is 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, Tiruchendur, 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 one week 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/-
03/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR, TUTICORIN DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE,
TIRUCHENDUR TEMPLE POLICE STATION, THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.ROBINSON Advocate SR.No.65491

ORDER

IN

CRL OP(MD) No.20904 of 2016

Date :03/11/2016