



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

Tuesday, the Fifteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20932 of 2016

1 KALIAPPAN
2 SOUNDARAPANDI
3 MUTHUSAMY
4 VELMURUGAN

..PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
VILLOOR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.89 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.BALAJI Advocate
For Respondent : M/s.S.PRABHA, 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 341, 294(b), 323, 324 and 506(ii) IPC in Crime No.89 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 political motive, the petitioners assaulted the defacto complainant and threatened him with dire consequences.

4.It is the case of the petitioners that they are innocent and they have been falsely implicated in this case.

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, Peraiyur**, Madurai 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. until further orders;

(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/-

15/11/2016

/ TRUE COPY /

***Corrected as per order of this Court dated:19.12.2016
made in CrI.MP.(MD).No.12394 of 2016 in
CrI.OP.(MD).No.20932 of 2016 by AMBAJ**

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

TO

To be substituted to the order already despatched

1 ***THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.**

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

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

4 THE SUB INSPECTOR OF POLICE, VILLOOR POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.S.BALAJI Advocate SR.No.68959

+2cc to M/s.V.Santhakumaresan,Advocate SR.No.81659 & 81660

ORDER IN

CRL OP(MD) No.20932 of 2016

Date :15/11/2016

PBK/EM-MPA/SAR-III 22/11/2016 ::2P-6C:

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