



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.20948 of 2016

1 VELUSAMY
2 ANTONYSAMY

... PETITIONER/ACCUSED NO.3 & 4

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
ALANKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO. 186 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN 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 :-

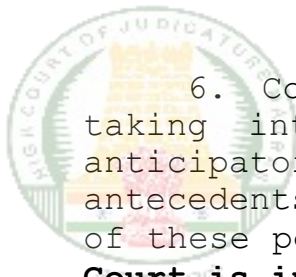
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 324 IPC and Section 4 of TNPHW Act, 1998 in Crime No.186 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that due to wordy quarrel, the petitioners have abused the defacto complainant in filthy language and also attacked her, which resulted in registration of the case.

4. Learned counsel for the petitioners would submit that it is a case in counter and A1 and A2 were already granted anticipatory bail by this Court in Crl.O.P.(MD) No.19985 of 2016 on 19.10.2016.

5. Learned Government Advocate (Crl.Side) submitted that nobody sustained injury in the alleged occurrence and that there is no previous case as against the petitioners.



6. Considering the facts and circumstances of the case and taking into account the fact that prime accused were granted anticipatory bail and the fact that the petitioners have no bad antecedents, this Court is of the view that custodial interrogation of these petitioners is not necessary at this stage. **Therefore, this Court is inclined to grant anticipatory bail to the petitioners.**

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7. 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 **Judicial Magistrate No.II, Sattur, subject to the following conditions:**

(i) **each of the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, SATTUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
ALANKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.65515

CSL/SS-2/SAR-I/10.11.2016: 3P/6C

ORDER

IN

CRL OP(MD) No.20948 of 2016

Date :03/11/2016