



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

Wednesday, the Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21342 of 2016

1 BALA @ BALA MURUGAN
2 KASI @ KASIDURAI
3 MANIKANDAN

... PETITIONERS/ACCUSED 1 TO 3

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO.394 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENAKTESH 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 :-

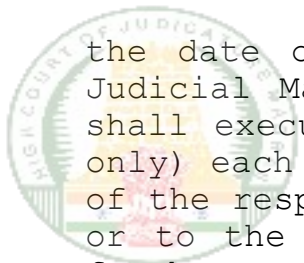
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of I.P.C., in Crime No.394 of 2016 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the elder daughter of the de-facto complainant was teased by the first petitioner and when the same was questioned by the de-facto complainant, the petitioners abused the de-facto complainant with filthy language and threatened her with dire consequences.

3. It is submitted by the learned counsel for the petitioners that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl.side) submitted that the petitioners attacked the de-facto complainant with hands and the de-facto complainant has sustained simple injury and treated as out-patient.

5. Considering the facts and circumstances of the case and that the de-facto complainant has sustained simple injury, 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 their appearance, within a period of fifteen days from



the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchendur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 shall report before the respondent Police daily at 10.00 a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

09/11/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENAKTESH Advocate SR.No.68062

AKV

CSL/SS-2/SAR-I/17.11.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.21342 of 2016

Date :09/11/2016