



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

Thursday, the First day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22670 of 2016

1 PERUMAL
2 SUBBULAKSHMI
3 REVATHY

... PETITIONERS/ ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT,
CR NO NOT KNOWN OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.P.NARAYANAKUMAR 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 :-

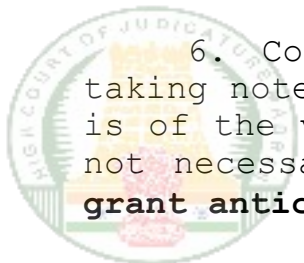
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(i) IPC on the file of the respondent police, the petitioners have come forward with this petition, seeking anticipatory bail.

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 these petitioners along with other accused are alleged to have assaulted the defacto complainant with hands, which resulted in registration of the case.

4. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

5. Learned Government Advocate (Crl.Side) submitted that nobody sustained injury in the alleged occurrence.



6. Considering the facts and circumstances of the case and taking note of the fact that no one got sustained injury, 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.**

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 on which a copy of this order is made ready, before the **Judicial Magistrate No.II, Srivilliputhur, 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 common sureties** 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 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/-
01/12/2016

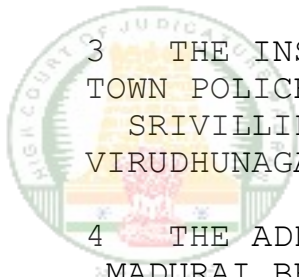
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II
SRIVILLIPUTHUR

2 THE CHIEF JUDICIAL MAGISTRATE
SRIVILLIPUTHUR AT VIRUDHUNAGAR DISTRICT



3 THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT,

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

+1. CC to M/S.K.P.NARAYANAKUMAR Advocate SR.No.78659

JAM/12.12.16/CK/SAR 3/3p-6c

ORDER
IN
CRL OP(MD) No.22670 of 2016
Date :01/12/2016