



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

Friday, the Sixteenth day of December Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23421 of 2016

1 ALAGARSAMY
2 SIRAI MEETAN

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMNAD DISTRICT
IN CRIME NO.382 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.BABU JAGANATH, Advocate

For Respondent : MR.P.KANDASAMY, Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

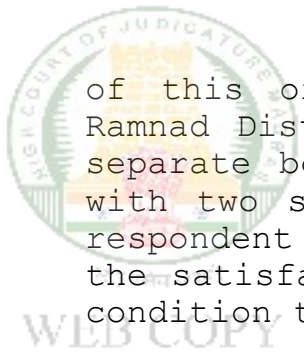
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) IPC and Section 4 of Tamil Nadu Women Harassment Act in Crime No.382 of 2016 on the file of the respondent police, seek anticipatory bail.

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

3.The case of the prosecution is that the petitioners attacked the defacto complainant with legs and caused simple injury.

4.The learned Government Advocate (Crl. Side) on instructions would submit that there are totally two accused in this case and the petitioners attacked the injured with legs and caused simple injury. He would further submit that the injured had been discharged from the hospital.

5.Considering the above facts and circumstances of the case and also considering the fact that the injured had been discharged from the hospital, 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 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, Kamuthi, Ramnad District, on condition that the petitioners shall execute a separate 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
16/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE, KAMUTHI POLICE STATION,
RAMNAD DISTRICT
- 4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC TO M/S.R.BABU JAGANATH, ADVOCATE, IN SR NO.81682.

ORDER IN
CRL OP(MD) No.23421 of 2016
Date :16/12/2016

msm-ck/sar1/23.12.16/p2/6c