



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

Monday, the Nineteenth day of December Two Thousand Sixteen  
PRESENT

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

CRL OP(MD) No.23453 and 23454 of 2016

WEB COPY

1 PRABU  
2 MOORTHY  
3 KANNAN

... PETITIONERS 1 TO 3 / ACCUSED NO.5,7 & 8  
IN CRL OP(MD).23453 OF 2016

4 RAJAPANDI  
5 MARUTHUPANDI

... PETITIONERS 4 & 5/ ACCUSED NO.6 & 10  
IN CRL OP(MD).23454 OF 2016

Vs

THE INSPECTOR OF POLICE,  
SIPCOT POLICE STATION,  
SIVAGANGAI DISTRICT.

CRIME NO.208 OF 2016 ...RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioner : M/S.V.PERUMAL Advocate  
IN BOTH PETITIONS

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)  
IN BOTH PETITIONS

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 147, 148, 294(b), 341, 324 and 307 of I.P.C in Crime No.208 of 2016 on the file of the respondent police, seek anticipatory bail.

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

3.The learned Government Advocate(Crl. Side) submitted that there are totally 10 accused in this case. The petitioners in Crl.O.P.(MD)No.23453 of 2016 are A5, A7 and A8 respectively and the petitioners in Crl.O.P.(MD)No.23454 of 2016 are A6 and A10 respectively. It is further stated that A1 to A4 were arrested on 19.11.2016 and they are in custody. A9 is not yet arrested in this case.

3.1.The learned Government Advocate (crl. Side) further states that the first petitioner, who is A5 in this case, attacked the injured by Aruval on his head and caused head injury and that the injured was discharged from the hospital.



4.The learned counsel for the petitioners submitted that A6 is the college going person.

5.Considering the facts and circumstances of the case and also considering the overt act against the first petitioner (A5) in Crl.O.P.(MD)No.23453 of 2016, as arrayed in the FIR, this Court is not inclined to grant anticipatory bail to A5, the first petitioner herein. In respect of the remaining accused in this case, this Court is inclined to grant anticipatory bail with certain conditions. Accordingly, except the first petitioner (A5), the other petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Additional District Munsif cum Judicial Magistrate, Manamadurai and on each of them executing 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 learned Magistrate concerned and on further condition that A6 shall appear before the respondent Police daily at 6.00 p.m., for a period of two weeks and thereafter as and when required for interrogation and the remaining petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

19/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

1 THE ADDL. DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
MANAMADURAI.

2 -DO THROUGH-  
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE,  
SIPCOT POLICE STATION,  
SIVAGANGAI DISTRICT.

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

+2 CC to M/S.V.PERUMAL Advocate SR.Nos.82013 and 82014

ORDER IN

CRL OP(MD) No.23453 & 23454 of 2016

Date :19/12/2016