



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

Tuesday, the Sixteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2768 of 2016

1 THANGAPANDI
2 KATHAMMAL
3 SARASU
4 PANDIYAMMAL
5 SELVAKUMAR
6 THAVAMANI

..PETITIONERS/ACCUSED NOS.1, 4 TO 8

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION, MADURAI DISTRICT.
CR NO.24 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.MEENAL PANDIAN 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 offences punishable under Sections 147, 148, 294(b), 342, 323, 324 and 506(ii) I.P.C. in Crime No. 24 of 2016 on the file of the respondent police, seek anticipatory bail.

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

3. The learned Government Advocate (Crl.Side) submitted that the injured has also been discharged from the hospital there is no previous case as against these petitioners.

4. Considering the facts and circumstances of case and also considering the fact that the injured has also 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 No.II, Usilampatti, Madurai District on condition that 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 learned Magistrate concerned and on further condition that:

The petitioners shall appear before the respondent police daily at 06.30 p.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.

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[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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]**.

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioners are complying with the order or not.

sd/-
16/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, USILAMPATTI, MADURAI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S M.MEENAL PANDIAN Advocate SR.No.9162

akm/17.02.2016/2p-6c/SKN/SK/SAR-I

ORDER
IN
CRL OP(MD) No.2768 of 2016
Date :16/02/2016