



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

Wednesday, the Twenty Fifth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CRL OP(MD) No.8314 of 2016

1 BALAMURUGAN
2 THANGAPANDI

... PETITIONERS / ACCUSED
RANK NOT KNOWN.

Vs

THE STATE REP.BY.
THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO. NOT KNOWN OF 2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.KAMATCHI Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

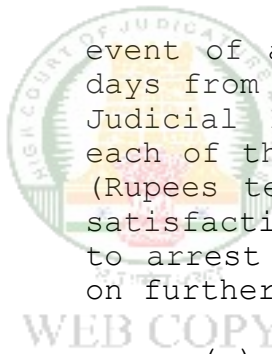
The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294 (b), 323 and 506(ii) I.P.C., on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on 12.05.2016, while the de-facto complainant standing in Nilakottai Bus Stand, due to previous enmity, the petitioners have scolded the de-facto complainant with filthy language and also threatened him with dire consequences.

3.M/s.M.Kamatchi, learned counsel appearing for the petitioners submits that due to previous enmity with regard to transfer, the de-facto complainant has lodged a false complaint as against the petitioners and the petitioners are innocent persons and they have been falsely implicated in the present case and they have not committed any offence as alleged by the defacto complainant.

4.Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State submits that petition enquiry is pending and no injury is caused to the de-facto complainant and no case has been registered against the petitioners.

5.Considering the facts and circumstances of this case and also <https://www.secdns.in/login/the-service> fact that no one sustained injury, I am inclined to grant anticipatory bail to the petitioners, subject to conditions. Accordingly, the petitioners are ordered to be released on bail in the



event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai, Dindigul District, on condition that each of the the petitioners 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 conditions that:

- (a) the petitioners shall report before the respondent police daily at 10.30 a.m., till further orders;
- (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) the petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.
- (e) 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 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/-
25/05/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI, DINDIGUL DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

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

4 THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S.M.KAMATCHI Advocate SR.No.27138.

ORDER
IN
CRL OP(MD) No.8314 of 2016
Date :25/05/2016