



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.8321 of 2016

1 PANDIAYAN

2 BALAN @ KUTTABALU

... PETITIONER/ACCUSED NO.14 AND 18

Vs

STATE REPRESENTED BY

THE SUB INSPECTOR OF POLICE

T.RAMANATHAPURAM POLICE STATION,

MADURAI DIST,

CRIME NO.32/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.VENKATESAN 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 :-

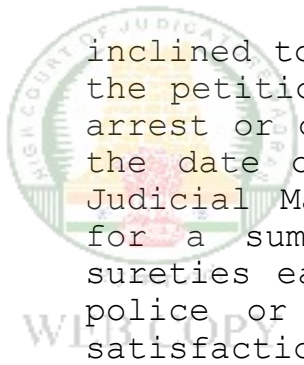
The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 323, 324, 355 and 506(ii) of I.P.C., and Section 4 of TNWH Act in Crime No.32 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that on 05.05.2016, the petitioners along with the other accused had attacked the de-facto complainant with wooden log and iron rod and caused injury to the de-facto complainant.

3. Mr.P.Venkatesan, learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case and they have not committed any offence as alleged by the de-facto complainant and now they are having apprehension of arrest. Under the said circumstances, the petitioners are entitled to get anticipatory bail.

4. Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) submitted that the de-facto complainant has sustained simple injury and discharged from the hospital.

5. Considering the facts and circumstances of the case and that the injured has already been discharged from the hospital, I am



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.2, Usilampatti, on their 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 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 appear before the respondent police daily at 10.30 a.m. until 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 of 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 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/-

25/05/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO. II, USILAMPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
T.RAMANATHAPURAM POLICE STATION, MADURAI DIST
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.VENKATESAN Advocate SR.No.27125

SDR/AN-MP/SAR-I/27.05.2016 :2P/6C

ORDER

IN

CRL OP(MD) No.8321 of 2016

Date :25/05/2016