

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fifth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.8527 of 2017

1 P.PADMAVATHI [PETITIONERS / ACCUSED]
2 R.MOORTHY @ GOPALAKRISHNAMOORTHY
3 SAMYNATHAN
4 P.SENTHILKUMAR

Vs

STATE, REP BY ITS, [RESPONDENT]
INSPECTOR OF POLICE,
NAMBIYUR POLICE STATION,
GOBICHETTY PALAYAM TALUK,
ERODE DISTRICT.
CR.NO.141 OF 2017.

For Petitioner : M/S.P.RAJAVEL Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294[b], 323, 342 and 307 of IPC on the file of the respondent police in Crime No.141 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant and the daughter of the 1st petitioner had love affair and on the fateful day, believing the words of the daughter of the 1st petitioner, the de facto complainant entered into the house of the 1st petitioner and on seeing the de facto complainant, the petitioners attacked him with iron rod and wooden log, due to which, he sustained injuries on his forehead.

3. Learned counsel appearing for the petitioners submitted that the injured has been discharged from the hospital, two of the co-accused were enlarged on bail and that the petitioners are permanent residents and therefore, they may be granted anticipatory bail.

4. Learned Government Advocate [Crl. Side] though opposes this petition, concedes that the injured has been discharged from the hospital.

5. Considering the release of co-accused on bail, discharge of the victim from the hospital and the fact that the petitioners are having permanent residence and also the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate-II, Gobichettipalayam 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 Judicial Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

-sd/-
05/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, GOBICHETTIPALAYAM, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NAMBIYUR POLICE STATION,
GOBICHETTY PALAYAM TALUK,
ERODE DISTRICT.

+1CC to M/S.P.RAJAVEL Advocate on payment of necessary charges
SR NO.8417

CRL OP.8527/2017

Date :05/05/2017

MK:09/05/2017