

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.5806 of 2017

1 KUMAR @ KUMARAVEL
2 DAYANITHI,

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
REDDIYARPALAYAM POLICE STATION,
PUDUCHERRY
CR.NO.43 OF 2017.

[RESPONDENT]

For Petitioner : M/S.M.SELVAM Advocate

For Respondent : MR.A.TAMILVANAN PUBLIC PROSECUTOR,PONDICHERRY

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

ORDER : The Court Made the following order :

The petitioners, who are arrayed as A2 and A3, apprehend arrest at the hands of the respondent police for the alleged offence under Sections 323, 427, 448, 506(1) r/w 34 IPC in Crime No. 43 of 2017 on the file of the respondent police and seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners along with other accused assaulted the defacto complainant by hands, thereby caused injury to the defacto complainant.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further would submit that a civil suit in O.S.No.155 of 2015 is pending on the file of the Additional Sub Judge, Puducherry between the parties.

4.Learned Public Prosecutor(Puducherry)would submit that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and taking note of the fact that the injured has 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 before **the**

learned Judicial Magistrate No.III, Puducherry, within a period of 15 days, from the date of receipt of a copy of this order, 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, or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that, the petitioners shall report before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required for interrogation.

-sd/-

23/03/2017

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.III, PUDUCHERRY

2 THE CHIEF JUDICIAL MAGISTRATE
PONDICHERRY[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
PONDICHERRY

4 THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
REDDIYARPALAYAM POLICE STATION,
PUDUCHERRY

+1 CC to M/S.M.SELVAM Advocate on payment of necessary charges
SR.NO. 5552

CRL OP.5806/2017

Date :23/03/2017

RD 24/03/2017