

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Dr. Justice S. VIMALA

CRIMINAL ORIGINAL PETITION No.9724 of 2017

1 M.MADHAN
2 M.DINESH

[PETITIONERS / ACCUSED]

Vs

STATE BY
INSPECTOR OF POLICE RACE COURSE
POLICE STATION COIMBATORE.
CR.NO.520/2017.

[RESPONDENT]

For Petitioner : M/S.R.THAMARAISELVAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, 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 323, 506 (i) IPC r/w 75 (1) (c) of the Tamil Nadu City Police Act, in Crime No.520 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioners would submit that the petitioners have nothing to do with the alleged offence.

3. The case of the prosecution is that the defacto complainant has given a complaint before the respondent Police on the allegation that the petitioners have threatened the defacto complainant and thereby, the complaint came to be launched against the petitioners and others.

4. The learned Government Advocate (Crl. Side) would submit that as there are no previous cases pending as against the petitioners, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to entertain this petition.

5.1. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Coimbatore, on

condition that each of 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 Judicial Magistrate concerned, and on further condition that:

(i) the petitioners shall report before the respondent Police, on every Monday and Wednesday, at 10.30 am, for a period of four weeks and thereafter, as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioners shall not abscond either during investigation or trial;

(iv) on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is authorized to take appropriate action against the petitioner, in accordance with law, as if the conditions have been imposed and the petitioners were released on bail by the learned Magistrate / Trial Court, as laid down by the Hon'ble Supreme Court in the case of **P.K.Shaji v. State of Kerala (2005) AIR SCW 5560.**

-sd/-

24/05/2017

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. I, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE RACE COURSE POLICE
STATION COIMBATORE.

+1CC to M/S.R.THAMARAISELVAN Advocate on payment of
necessary charges SR.NO. 9554

CRL OP.9724/2017

Date :24/05/2017

EGR 26/05/2017