



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

Wednesday, the Sixteenth day of August Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10056 of 2017

WEB COPY

1 ESAKKI MUTHU
2 SANKARA NARAYANAN
3 SANKAR
4 KARTHIK
5 KANAGARAJ
6 ARUMUGAM

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
ERAL POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.240 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.KATHIRESAPERUMAL Advocate
For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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, 294(b), 324 and 506(ii) of IPC, in Crime No.240 of 2017, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, there was a wordy altercation arose between the accused and the de-facto complainant and due to which, the accused persons abused the de-facto complainant with filthy language and attacked him with deadly weapons and also threatened the de-facto complainant with dire consequences.

3.The learned counsel appearing for the petitioners states that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and the petitioners have been falsely implicated in this case with an ulterior motive. It is further submitted that it is a case and counter in Crime No.239 of 2017 given by the first petitioner herein against the de-facto complainant.

4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally six accused in this case and the first petitioner is said to have attacked with Aruval on the left hand middle and ring fingers of the



de-facto complainant and the remaining accused are said to have abused the de-facto complainant with filthy language and also threatened with dire consequences and in this case, the injured has been discharged from the hospital.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and a case in Crime No.239 of 2017 registered against the de-facto complainant and his henchmen, based on the complaint given by the first petitioner, 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 arrest or on their appearance before the learned Judicial Magistrate, Srivaikundam 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 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 three weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
16/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
ERAL POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.KATHIRESAPERUMAL Advocate SR.No.28864
ER
CSL/PM-PN/SAR-III/22.08.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.10056 of 2017
Date :16/08/2017