



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.10121 of 2017

1 JOHN BRITTO  
2 JANAKAR  
3 MESIYAN

... PETITIONERS / ACCUSED NOS.1,2,3

JEROMIYAS

... PETITIONER / INTERVENER/  
DEFACTO COMPLAINANT

Vs

THE STATE REP.BY,  
THE SUB-INSPECTOR OF POLICE,  
PAMBAN - POLICE STATION,  
RAMANATHAPURAM DISTRICT.  
(CRIME NO.81 OF 2017)

... COMPLAINANT/ RESPONDENT

For Petitioners : M/S.D.BALAMURUGAPANDI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

For Intervener : MR.D.S.HAROON RASHEED Advocate

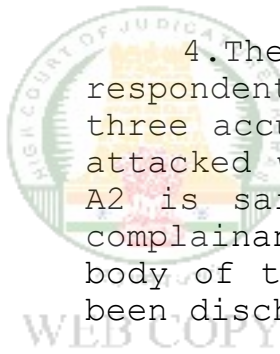
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.81 of 2017, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, 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.



4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally three accused in this case and the first petitioner is said to have attacked with iron rod on the head of the de-facto complainant and A2 is said to attacked with stick on the chest of the de-facto complainant and A3 is said to have attacked with hands all over the body of the de-facto complainant and in this case, the injured has been discharged from the hospital.

5.The learned counsel appearing for the intervener would submit that the de-facto complainant is the sister's husband of A1 and A3 and they caused injuries upon the de-facto complainant and the injured was taking treatment for 8 days in the hospital and hence, he prayed that stringent condition may be imposed upon the petitioners.

6.Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Rameswaram, Ramanathapuram District 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 first petitioner shall stay at Madurai and report before the Judicial Magistrate No.I, Madurai, daily at 10.30 a.m until further orders** and the 2<sup>nd</sup> petitioner shall appear before the respondent police as and when required for interrogation and the 3<sup>rd</sup> petitioner 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.

8.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

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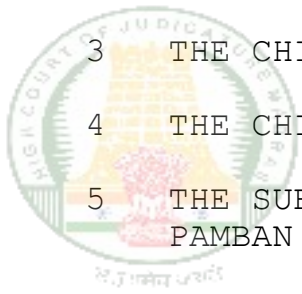
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,  
RAMESWARAM, RAMANATHAPURAM DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE JUDICIAL MAGISTRATE NO.I, MADURAI.



3 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.

4 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

5 THE SUB-INSPECTOR OF POLICE,  
PAMBAN - POLICE STATION, RAMANATHAPURAM DISTRICT.

6 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.28819

ORDER

IN

CRL OP(MD) No.10121 of 2017

Date :16/08/2017

MKV-CM-MSA-SAR 4/21.8.2017/3P-8C