



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

Friday, the Fourth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10257 of 2017

1 SEENI @ BALASRINIVASAN	
2 M.MOOKAIAH	...PETITIONERS/ACCUSED NOS.1 & 2
3 KANNAN	
4 K.MUTHUKUMAR	... PETITIONERS/RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION, KOVILPATTI,
TUTICRIN DISTRICT.
IN CRIME NO.408 OF 2017. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SANKAR PRAKASH Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

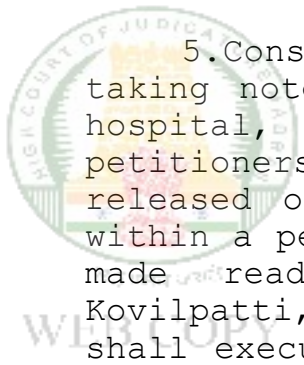
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 and 506(ii) of IPC in Crime No.408 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive there were a wordy quarrel between the de facto complainant and the petitioners. The 1st accused is said to have attacked with stick on the hands of the de facto complainant. The 2nd and 4th accused are said to have attacked with hands and caused injury to the de facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that nothing happened as alleged by the FIR and the case is falsely foisted against the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the totally there are 2 named accused and 2 unnamed accused. He also submitted that the 2 named accused were discharged from the hospital and investigation is still pending.



5.Considering the facts and circumstances of the case and also taking note of the fact that the injured was discharged from the hospital, I am 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, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Kovilpatti, Tuticorin District on condition that 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 Magistrate concerned and on further condition that:

[a]the petitioners shall report before the respondent Police daily at 10.30 a.m. for three weeks.

[b]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioners shall not abscond either during investigation or trial.

[d]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560).

sd/-

04/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI, TUTICORIN DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION, KOVILPATTI, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.SANKAR PRAKASH Advocate SR.No.28167

+1. CC to M/S.R.VENKATESAN Advocate SR.No.28219

ORDER

IN

CRL OP(MD) No.10257 of 2017

Date :04/08/2017