



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

Friday, the Eighth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10584 of 2017

1 MANGAYARKARASI
2 ALAGAPPAN

... PETITIONERS / ACCUSED NOS.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TOWN POLICE STATION, DEVAKOTTAI,
SIVAGANGAI DISTRICT.
CRIME NO. 313 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.ASAITHAMBI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

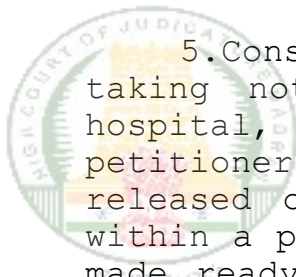
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324, 506(i), 379 and 420 IPC in Crime No.313 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to some money dispute, the petitioners have attacked the de facto complainant with hand and also threatened with dire consequences and thereby, caused injury and also taken away a sum of Rs.8,500/-.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are two accused, who are the petitioners herein. He also submitted that injured was 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 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, Devakottai, 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 a period of two weeks and thereafter, as and when required.

[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/-

08/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, DEVAKOTTAI, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.ASAITHAMBI Advocate SR.No.30400

ORDER IN
CRL OP(MD) No.10584 of 2017
Date :08/09/2017