



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

Wednesday, the Twenty Third day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10987 of 2017

1 JENIFER
2 LIYANDAR

... PETITIONERS / ACCUSED No.2nd & 1st

Vs

THE STATE REPRESENTED THROUGH
THE SUB INSPECTOR OF POLICE
NORTH POLICE STATION,
THOOTHUKUDI DISTRICT .
CRIME NO. 443 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ESTHOV ANTONY ASHOK 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 :-

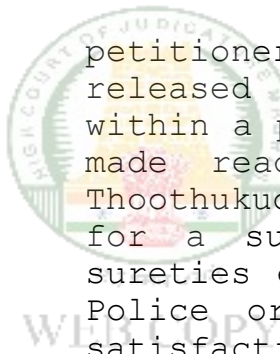
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324, 506(ii) of IPC in Crime No.443 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, A1 has attacked with cricket bat on the head of the de facto complainant and A2 has attacked with aruval on the head and the left hand wrist of the de facto complainant and also caused small injuries on his right hand.

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 the petitioners are no way connected with the allegation stipulated by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 2 accused in this case, who are petitioners herein and they are arrayed as A1 & A2. He further submitted that the injured has been 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 has been 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 Court-III, Thoothukudi 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 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/-
23/08/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI

3 THE SUB INSPECTOR OF POLICE
NORTH POLICE STATION, THOOTHUKUDI DISTRICT .

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+3. CC to M/S.R.ESTHOV ANTONY ASHOK Advocate SR.No.29229

JAM/28.08.17/cm-msa/SAR 4 /2p-8c

ORDER
IN
CRL OP(MD) No.10987 of 2017
Date :23/08/2017