



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

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12192 of 2017

1 AYIRAM

2 PETCHIMUTHU

... PETITIONERS / ACCUSED Nos.1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SATTANKULAM P.S., THOOTHUKUDI DISTRICT.

CRIME NO.299 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN 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/A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 506(ii) of IPC., in Crime No.299 of 2017, seek anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the de-facto complainant and the accused in this case and the first petitioner is said to have attacked with Aruval on the left wrist of the de-facto complainant and caused injuries and both accused are said to have abused with filthy language and also threatened with dire consequences.

3. The learned counsel appearing for the petitioners states that this case has been falsely foisted against the petitioners by the de-facto complainant and they are innocent and they were not involved any such offences. He would further submit that there was previous enmity between the first petitioner and one Sivasubbu son of Petchimuthu and the first petitioner given a compliant against the said Sivasubbu and due to the previous enmity, the present case was filed by the de-facto complainant to revenge the petitioners with an ulterior motive.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally four named accused in this case and the petitioners are herein



arrayed as A1 and A2 respectively. The de-facto complainant and the first accused are brothers. He would further submit that injured was discharged from the hospital and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and the alleged overt act of the first petitioner herein, 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, Sattankulam, on condition that each 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 the petitioners shall report before respondent Police daily at 10.30 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/-
19/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATTANKULAM
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE
SATTANKULAM POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.30987

ORDER
IN
CRL OP(MD) No.12192 of 2017
Date :19/09/2017