



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

Wednesday, the Twentieth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12217 of 2017

1 V. ARUMUGAM

2 MUTHURAMALINGAM

... PETITIONERS / ACCUSED 3 & 4

Vs

STATE THROUGH THE  
THE SUB INSPECTOR OF POLICE  
THRUCHULI POLICE STATION,  
VIRUDHUNAGAR DISTRICT,  
CR NO. 262/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.N.CHANDRAN 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 :-

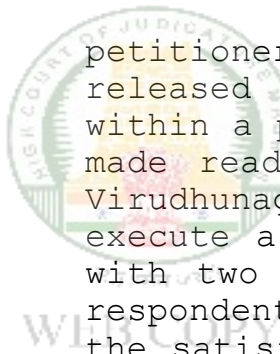
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.262 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to some property dispute between the petitioners and the de facto complainant, A3 is said to have attacked the de facto complainant with stick and A2 is said to have attacked with stick on the left shoulder of 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 there is no previous case against the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 4 accused in this case and the petitioners herein are arrayed as A3 & A4. He further submitted that injured has been discharged from the hospital and the investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices> 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, Aruppukottai, Virudhunagar 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 a period of three weeks and thereafter as and when required for interrogation.

[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/-  
20/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,  
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE  
THRUCHULI POLICE STATION, VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to Mr.N.CHANDRAN Advocate SR.No.31136

JAM/26.09.17/RR-BS/SAR 1/ 2p-6c