



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

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12965 of 2017

1 JOTHIMANI
2 PALANIVEL
3 VEERAYEE

... PETITIONERS / ACCUSED NO.2 to 4

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
KEELATHUVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 108 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.UTHAYAKUMAR Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

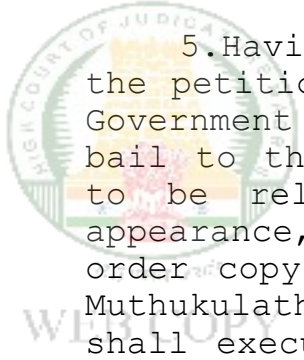
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 506(i) of IPC., in Crime No.108 of 2017, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel arose between the de facto complainant and the petitioners while celebrating the religious festival. Out of which, the petitioners attacked the de facto complainant and caused injuries.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they did not commit any offence as alleged by the prosecution. He further submitted that the petitioners and the de facto complainant are close relatives.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that the injured has been discharged from the hospital and the investigation is still pending.



5. Having regard to the nature of allegation levelled against the petitioners and considering the submissions made by the learned Government Advocate (Crl.side), 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, Muthukulathur, Ramnad District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (rupees twenty five 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 for interrogation.

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

[c] the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

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

(e) the petitioners shall not commit any offence while on bail;

[f] on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

06/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKULATHUR, RAMNAD DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMNAD DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE,
KEELATHUVAL POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.32419