



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

Tuesday, the Tenth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13681 of 2017

1 S.SANGEETHA
2 SIVAKUMAR

... PETITIONERS / ACCUSED 2 & 1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THIRUVAIYAR POLICE STATION,
THANJAVUR DISTRICT.
CR.NO.313/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.VADIVEL Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Cr1. Side)

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

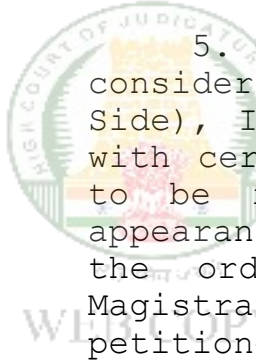
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 1, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353 and 506(i) of IPC, in Crime No.313 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.09.2017, while the defacto complainant/Sub Inspector of Police, namely, Umapathy was on regular vehicle check-up found that the petitioners/accused persons along with another person were riding on a motor bike, at that time, she intercepted them and questioned about the violation of Motor Vehicle Rules by travelling three persons in a motor bike, there was a wordy quarrel arose between them and the petitioners used filthy language against the law enforcing officer, namely the Sub Inspector of Police. Based on the complaint, the case has been registered for the above said offences.

3. The learned counsel for the petitioners would submit that he denied the guilt of violation of the Motor Vehicle Rules by travelling three persons in a motorbike. He further submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the petitioners prevent the Sub Inspector of Police from doing her duty and used filthy language against the law enforcing agency and he vehemently opposed to grant anticipatory bail.



5. Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate (Crl. Side), I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Thiruvaiyar, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent police/Sub Inspector of Police, Thiruvaiyar Police Station, Thanjavur District, daily between 10.00 a.m. and 11.00 a.m., for a period of eight weeks and thereafter as and when required;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (iv) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

10/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYAR, THANJAVUR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE INSPECTOR OF POLICE/ SUB INSPECTOR OF POLICE,
THIRUVAIYAR POLICE STATION, THANJAVUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.VADIVEL Advocate SR.No.32433

ORDER IN

CRL OP(MD) No.13681 of 2017

Date :10/10/2017