



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

Thursday, the Twelfth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13793 of 2017

1 GANESAN
2 GUNASEKAR
3 CHENDRASEKAR

... PETITIONERS / ACCUSED NOS.1 to 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ERAL POLICE STATION, THOOTHUKUDI DISTRICT
(CRIME NO.311 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners : MR.T.SUGADEV for M/S.A.ANANDAN Advocate

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

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

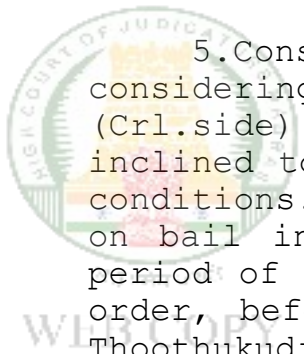
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1 to 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 323, 506(ii) of I.P.C. and section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.311 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 26.09.2017, the defacto complainant's grand children were played with water can infront of the first petitioner's house and thereby there was a wordy quarrel between the petitioner and defacto complainant. The petitioners trespassed into the defacto complainant's house and attacked him. As a result, the de-facto complainant sustained injuries and admitted in the hospital. On complaint, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that all the injured person was discharged from the hospital.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the injured was discharged from the hospital, 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court, Srivaikundam, Thoothukudi 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 daily at 10.00 a.m for a period of three weeks and thereafter, as and when required for interrogation;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall make himself 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;
- (v) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-

12/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ERAL POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.ANANDAN Advocate SR.No.32713

ORDER

IN

CRL OP (MD) No.13793 of 2017

Date :12/10/2017