



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.13836 of 2017

1 R.SIVANESAN  
2 YOGANESWARAN

... PETITIONERS / ACCUSED NO.A1, A2

Vs

STATE REPRESENTED BY,  
THE INSPECTOR OF POLICE  
THIRUCHENDUR POLICE STATION,  
IN CRIME NO.331 OF 2017,  
TUTICORIN DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.C.PRABHAKARAN Advocate

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

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

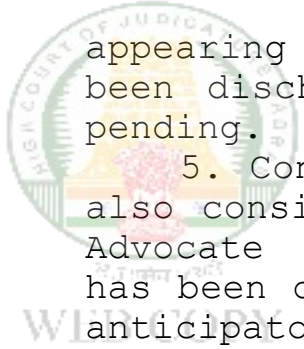
ORDER : The Court Made the following order :-

The petitioners/accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427, 307 and 506(ii) of IPC, read with Section 4 of Tamil Nadu Women Harassment Act, in Crime No.331 of 2017, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that admittedly the petitioners and the defacto complainant are brothers. There was a civil dispute in between them. Due to that the petitioners pushed the defacto complainant into the Well, out of which the defacto complainant sustained injuries. On complaint, case has been registered against the petitioners for the above said offences. The earlier bail petition filed by this petitioners is dismissed on the ground that the injured was not discharged from the hospital. This is the second bail petition.

3.The learned counsel 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 (Criminal side)



appearing for the respondent submitted that the injured has been discharged from the hospital and investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) appearing for the State that the injured has been 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 on which the order copy is made ready, before the learned Judicial Magistrate, Tiruchendur, on condition that each of 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 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 investigation officer daily between 10.00 a.m. and 11.00 a.m., for a period of three weeks;

(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;

(v) 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.

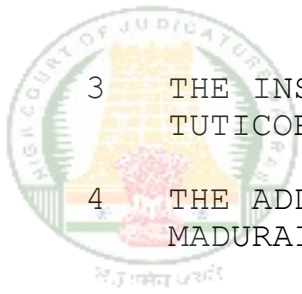
sd/-  
12/10/2017

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

PJL  
TO  
1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR

<https://hcservices.ecourts.gov.in/hcservices/>  
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
TUTICORIN DISTRICT



3 THE INSPECTOR OF POLICE, THIRUCHENDUR POLICE STATION,  
TUTICORIN DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

+1. CC to M/S.C.PRABHAKARAN Advocate SR.No.32601

GJM/RR/BS/SAR-3-20.10.2017-3P-6C

ORDER

IN

CRL OP(MD) No.13836 of 2017

Date :12/10/2017