



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

Tuesday, the Thirty First day of October Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.14196 of 2017

1 SIVAGIRI SELVAM
2 THANGAVEL

... PETITIONERS/ACCUSED Nos.1&3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION,
PARTHIBANOOR,
RAMANATHAPURAM DISTRICT.
(CRIME NO.293 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.D.SENTHIL Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

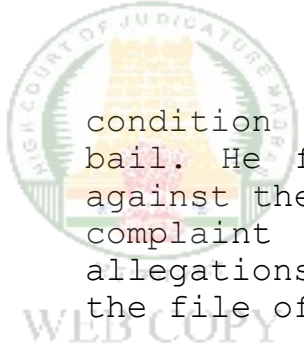
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 307 of IPC., in Crime No.293 of 2017, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that there are totally three accused in this case. This petitioners are arrayed as A1 & A3. On 18.10.2017, when A1 parked his car in front of the house of the defacto complainant, the same was questioned by the defacto complainant, at that time, there was a wordy quarrel arose between the accused persons and the defacto complainant. As a result, the petitioners attacked the defacto complainant and he sustained injuries. On complaint, case has been registered for the above said offences against the petitioner and other accused persons.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Moreover, there is no previous enmity between the petitioners and the defacto complainant and he further submitted that the petitioners are ready to abide any



condition to be imposed by this Court and prays for anticipatory bail. He further submitted that there is a counter case pending against the defacto complainant in which the petitioners had given a complaint against the defacto complainant for the same set of allegations and the case was registered in Crime No.292 of 2017 on the file of the respondent police.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the injured has been discharged from the hospital. He further submitted that it is a case of case and case in counter.

5.Considering the facts and circumstances of the case and also considering the fact 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, Paramakudi, 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 two 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;

(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/-
31/10/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION, PARTHIBANOOR,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.D.SENTHIL Advocate SR.No.33505

ORDER

IN

CRL OP(MD) No.14196 of 2017

Date :31/10/2017

pjl

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