



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

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14213 of 2017

1 DHINESH @ THINESH,
2 MUTHURAKKU,
3 SELVI,

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
NAINARKOIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CRIME NO.239 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.K.SANJAI GANDHI Advocate

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

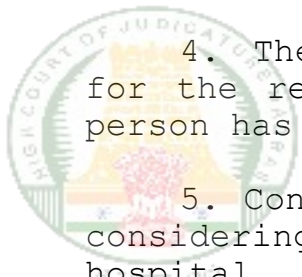
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323, 324 and 506(ii) of IPC, in Crime No.239 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity in between the petitioner and the defacto complainant, thereby the petitioner attacked the defacto complainant with iron rod and wooden log and caused grievous injuries. Thereafter, the defacto complainant was admitted in the hospital and gave a complaint against the petitioners before the police respondent.

3. The learned counsel appearing for the petitioner would submit that the petitioners are an innocent persons and they have not committed any offences as alleged by the above prosecution. He further submitted that the defacto complainant abused and threatened the first petitioner's elder sister and on questioning the same, the defacto complainant lodged a false complaint against the petitioners before the respondent police .



4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the injured person has been discharged from the hospital.

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 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 investigation officer, daily at 10.00 a.m., for a period of two 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;

(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/-
24/10/2017

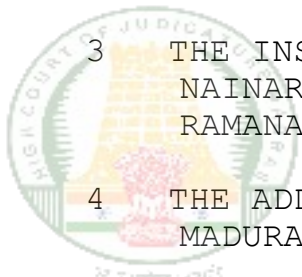
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.



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

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

+1. CC to M/S.K.SANJAI GANDHI Advocate SR.No.33081

ORDER

IN

CRL OP(MD) No.14213 of 2017

Date :24/10/2017

MV:RR-BS:SAR2:26/10/2017/3P/6C