



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

Wednesday, the Twenty Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14245 of 2017

1 K.JONES
2 S.JOSEPH
3 M.ANTONY SAMY

... PETITIONERS/ ACCUSED NO.3 TO 5
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.230 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.K.RAMANATHAN, Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

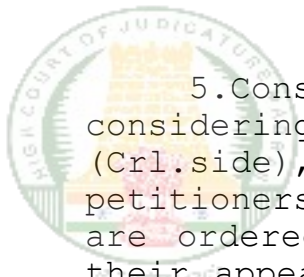
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.3 to 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(II) of IPC r/w 4 of Women Harassment Act in Crime No.230 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a pathway dispute between the defacto complainant and other accused for the past 8 years. On 22.10.2017 at about 09.00 a.m. the accused No.2 was fencing the pathway in order to prevent the defacto complainant from using the pathway. When the same was questioned by the defacto complainant, there was a wordy quarrel between the petitioners and the defacto complainant, which lead the petitioners to attack the defacto complainant with a wooden stick and thereby, the defacto complainant sustained injuries.

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.

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 and the investigation is still pending. He further submitted that accused 1 and 2 were not released on bail and they are still in custody.



5. Considering the facts and circumstances of the case and also considering the submissions made by 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 District Munsif-Cum-Judicial Magistrate Court, Thiruvadanai, Ramanathapuram 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of four 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/-
25/10/2017

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVADANAI, RAMANATHAPURAM DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE,
THONDI POLICE STATION, RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.RAMANATHAN Advocate SR.No.33270

ORDER IN
CRL OP(MD) No.14245 of 2017
Date :25/10/2017