



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

Wednesday, the First day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14288 of 2017

1 SATHIYA MOORTHY,
2 GURUSAMY @ THAMARAISKANI,
3 LAXMANAN
4 SHENDURPANDI, ... PETITIONERS/ ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.128 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.C.BETHANASAMY 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 to 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.128 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and defacto complainant are neighbours. Due to land dispute, on 18.10.2017, there was a wordy quarrel in between the petitioners and the defacto complainant and thereby, the petitioners assaulted the defacto complainant. As a result, the defacto complainant sustained injuries and admitted in the hospital. Therefore, a case has been registered by the defacto complainant against the petitioners before the respondent police.

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



4. The learned Government Advocate (Crl.side) appearing for the State that injured 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), 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, Mudukulathur, 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 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 four 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 themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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/-
01/11/2017

/ TRUE COPY /

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



mrn

TO

1 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION, RAMANATHAPURAM DISTRICT.

2 THE JUDICIAL MAGISTRATE, MUDUKULATHUR

3 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.C.BETHANASAMY Advocate SR.No.33609

GJM/CM/SAR-I-6.11.2017-3P-6C

ORDER

IN

CRL OP (MD) No.14288 of 2017

Date : 01/11/2017