



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.14291 of 2017

1 THEIVENDRAN

2 MARUTHUPANDI @ BATCHA

... PETITIONERS / ACCUSED 2 & 3

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KALLIKKUDI POLICE STATION, MADURAI DISTRICT.
(IN CRIME NO.285 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MANIKANDAN Advocate

For Respondent : Govt. 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.2 and 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.285 of 2017, on the file of the respondent police, seek anticipatory bail.

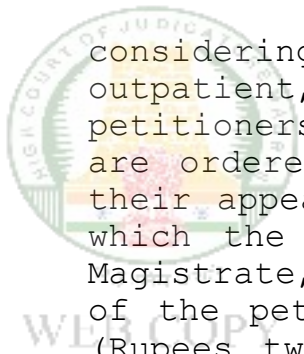
2. The case of the prosecution is that on 19.10.2017, the petitioners scolded the family members of the defacto complainant, before that there was a group clash arose between the petitioners group and the defacto complainant's group. At that time the petitioners attacked the defacto complainant's sons and caused injuries. Based on the complaint, the case has been registered for the above said offences.

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 there was a group clash between two communities and the injured persons are taking treatment as outpatient and investigation is still pending. He further submitted that this is a case and case in counter.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case and also



considering the fact that the injured are taking treatment as outpatient, 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, Thirumangalam, Madurai District, 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/-

25/10/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT

3 THE SUB INSPECTOR OF POLICE,
KALLIKKUDI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to Mr.S.MANIKANDAN Advocate SR.No.33111

JAM/26.10.17/RR-BS/SAR 4/ 2p-6c