



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

Friday, the Tenth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) Nos.1440 and 1441 of 2017

MUTHUKARUPPAN

... PETITIONER/ACCUSED NO.2 IN
CRL OP(MD) No.1440 of 2017

LAKSHMANAN

... PETITIONER/ACCUSED NO.3 IN
CRL OP(MD) No.1441 of 2017

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
KUMBAKONAM TALUK POLICE STATION,
KUMBAKONAM,
CRIME NO. 548 OF 2016

... RESPONDENT/COMPLAINANT IN
BOTH THE PETITIONS

For Petitioner : M/S.R.GANESH PRABU Advocate
IN BOTH THE PETITIONS

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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 & 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 294(b), 354 and 506 (ii) IPC in Crime No.548 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned Government Advocate (Crl. Side) on instructions submitted that totally there are three accused in this case and the petitioners herein are arrayed as A.2 & A.3 respectively and no one sustained injury in the alleged occurrence and there is a money dispute between the defacto complainant and the accused in this case. The petitioners herein moved the anticipatory bail petitions before this Court in Crl.O.P(MD) Nos.23545 and 23546 of 2016 and anticipatory bail was granted as per the order, dated 20.12.2016.



The petitioners herein failed to appear and furnish the sureties as ordered by this Court within the stipulated time. Hence, the petitioners seek anticipatory bail for the second time.

4. Considering the above facts and circumstances of the case and also considering the fact that no one sustained injury in the alleged occurrence, this Court is 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 before the learned Judicial Magistrate No.II, Kumbakonam and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner/Accused No.2 in CrI.O.P(MD) No.1440 of 2017 shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation and the petitioner/Accused No.3 in CrI.O.P(MD) No.1441 of 2017 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

5. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petitions for anticipatory bail stand dismissed.

sd/-
10/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
KUMBAKONAM TALUK POLICE STATION, KUMBAKONAM,
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.R.GANESH PRABU Advocate SR.Nos.7789&7790

ps

CSL/SV-MMS/SAR-III/14.02.2017 : 2P/7C

ORDER
IN

CRL OP(MD) Nos.1440 & 1441 of 2017
Date :10/02/2017