



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

Thursday, the Twenty Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14404 of 2017

1 MUTHU ALIAS MUTHUSAMY
2 KADACHARAM
3 MURUGAN
4 NAGAVALLI
5 JEYAKODI
6 SANKARESWARI
7 SINGADURAI
8 RAMAR

... PETITIONERS / ACCUSED NOS.1 TO 3,5,TO 9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VILLOOR POLICE STATION,
MADURAI DISTRICT,
CRIME NO. 119/20

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.MARIMUTHU Advocate

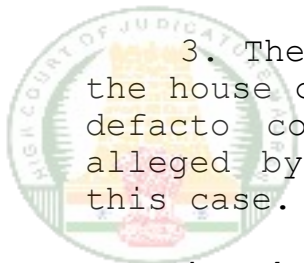
For Respondent : Mr.K.ANBARASAN, Government Advocate(Crl. Side)

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 3 and 5 to 9, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC, in Crime No.119 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.10.2017, since the petitioners' cow entered into the field of the defacto complainant, he captured the cow and tied it in his house. On the next day, i.e., on 19.10.2017, the petitioners attacked the defacto complainant and his family members with aruval, stick and stones. Thereby, the defacto complainant sustained grievous injuries and admitted in the hospital. Based on the complaint, the case has been registered for the above said offences.



3. The case of the petitioners is that when the cow was tied in the house of the defacto complainant, the petitioners questioned the defacto complainant and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that injured person discharged from the hospital. He further submitted that the investigation is still pending.

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, Peraiyur, 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 4, 5 & 6/ A5, A6 and A7 shall report before the investigation officer as when required and the other 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/-
26/10/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE
PERAIYUR, MADURAI DISTRICT.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
VILLOOR POLICE STATION,
MADURAI DISTRICT,

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

+1. CC to M/S.M.JOTHI BASU Advocate SR.No.33248

ORDER

IN

CRL OP(MD) No.14404 of 2017

Date :26/10/2017

MV:RR-BS:SAR2:31/10/2017/3P/6C