



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

Wednesday, the Fifteenth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1459 of 2017

1 MOORTHY

2 KANNAN

... PETITIONERS/ACCUSED NO.1 & 3

Vs

STATE REP.BY ,
THE SUB-INSPECTOR OF POLICE
MANDALA MANICKAM POLICE STATION,
KAMUTHI TALUK,
RAMANATHAPURAM DISTRICT
CRIME NO. 16 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

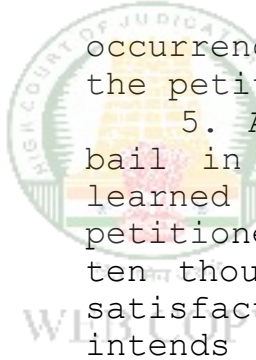
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 427 and 506(i) of IPC., in Crime No.16 of 2017, seek anticipatory bail.

2. The learned counsel appearing for the petitioners states that the petitioners are innocent and they did not commit any offence, as alleged in the FIR. He would further submit that a false complaint has been given just to water down the complaint given by the wife of the petitioner herein. He also submitted that the defacto complainant's son came to the house of the 1st petitioner herein and hideout with the ill intention to misbehave with the 1st petitioner's wife and hence, the case was registered in Crime No.17 of 2017 by the respondent Police against the defacto complainant's son in this case and because of that incident, the present complaint is registered, as a counter blast to the above complaint.

3. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally three accused in this case and the petitioners herein are A1 and A3 respectively. A2 was arrested and released on bail by the concerned Judicial Magistrate. He would further submit that the petitioner along with the second accused assaulted the defacto complainant and damaged bicycle and no one sustained injury in the alleged occurrence.

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4. Considering the above facts and circumstances of the case and also considering the fact that no one sustained injury in the



occurrence, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Kamuthi, on condition that each petitioners shall execute 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required, for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

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

sd/-
15/02/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, KAMUTHI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE SUB-INSPECTOR OF POLICE
MANDALA MANICKAM POLICE STATION,
KAMUTHI TALUK, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.R.SREENIVASAN Advocate SR.No.8497

ORDER

IN

CRL OP(MD) No.1459 of 2017

Date :15/02/2017

MPK

CSL/CM-MSA/SAR-I/17.02.2017 : 2P/6C