



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

Monday, the Twenty Seventh day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1470 of 2017

1 A. SENTHAMARAI
2 A. SURESH
3 ARULANTHU
4 G. GANESAN
5 SMITHRA
6 SAVARIAMMAL
7 MADURAI RAMESH
8 KUMAR
9 SAKTHI
10 GUNASEKARAN
11 THOONDI POOSARI
12 RAMADOSS

... PETITIONERS/ ACCUSED RANK A1 TO A12

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MIMISAL POLICE STATION,
PUDUKOTTAI DISTRICT,
CR NO. 22 OF 2017.

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.M.BOOPATHI PANDIYAN Advocate

For Respondent : M/S.P.KANDASAMY Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.RADHAKRISHNAN For Intervenor

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 12, in Crime No.22 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 294(b), 323, 324, 355 and 307 IPC and hence, seek anticipatory bail.

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



complainant.

3.The learned Government Advocate(Crl. Side) on instructions submitted that totally there are twelve accused in this case, who are the petitioners herein and they are arrayed as A-1 to A-12 respectively. There is a dispute in respect of prawn farm between the accused and the defacto complainant and the first petitioner herein is said to have attacked with arival on the head of the brother of the defacto complainant and caused head injuries and the fourth petitioner is said to have attacked with wooden log and iron rod and caused injuries to the defacot complainant also the brother of the defacto complainant on the right hand and the right leg respectively. The remaining accused were made criminal intimidation and attacked with hands and chapels and the injured persons were admitted in the hospital and they were discharged from the hospital on 24.02.2017 and investigation is still pending.

4. The learned counsel for the petitioners states that initially the case was registered for the offences under Sections 147, 148, 294(b), 323, 324, 355 and 506(ii) IPC and thereafter, the case was altered into under Sections 147, 148, 294(b), 323, 324, 355 and 307 IPC as per the alteration report of the respondent dated 09.02.2017. The alleged occurrence took place on 31.01.2017 and the matter was reported to the police on 03.02.2017 and it is further stated that the first petitioner herein is the Doctor and he was also injured in the occurrence and he was assaulted by the defacto complainant and the defacto complainant's brother.

5.The learned counsel for the intervenor reiterating the contention of the learned Government Advocate (Crl.side) appearing for the respondent police and he would further submit that the respondent police has not properly investigated the case.

6.Considering the fact that first petitioner herein has attacked with arival and caused head injuries and the injured was admitted in the hospital and thereafter, he was discharged on 24.02.2017, this Court is not inclined to grant anticipatory bail to the first petitioner. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 to 12 with certain conditions. Accordingly, the petitioners 2 to 12 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Aranthangi, 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 petitioners 2 to 12 shall appear before the respondent police daily at 10.30 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.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 petition for anticipatory bail stands dismissed.

sd/-
27/02/2017

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

TO

- 1 THE INSPECTOR OF POLICE
MIMISAL POLICE STATION,
PUDUKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE JUDICIAL MAGISTRATE,
ARANTHANGI
- 4 THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

+1. CC to M/S.M.BOOPATHI PANDIYAN Advocate SR.No.10967

ORDER
IN
CRL OP(MD) No.1470 of 2017
Date :27/02/2017

KK-RSK-28.02.2017-3P-6C