



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

Monday, the Thirteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14858 of 2017

1 R.KODEESHWARAN
2 G.RAVI @ RAVICHANDRAN ... PETITIONERS / ACCUSED Nos.1 & 2

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION, THANJAVUR
(CR.NO.NOT KNOWN/2017) ... RESPONDENT / RESPONDENT

For Petitioners : M/S.A.SENTHIL KUMAR Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Cr1. Side)

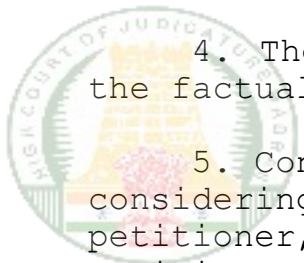
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 355 and 506(ii) of I.P.C., in Crime No.443 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that when the Cooperative Bank conducted public auction in respect of gold jewels, the petitioner and the defacto complainant participated in the auction and there was a dispute regarding the purchase of gold jewels in the public auction. Thereby, the petitioner attacked the defacto complainant due to which, the defacto complainant sustained injuries. Accordingly, the defacto complainant lodged a complainant before the respondent police. At the first instance, the law enforcing agency registered the complaint under Section 294(b), 323, 355, 379 and 506 (ii) of I.P.C., and thereafter, the law enforcing agency modified the complaint by deleting Section 379 of I.P.C.

3.The learned counsel for the petitioners submitted that no one was injured in the scene of occurrence and the lower Court has already been granted anticipatory bail to A3. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and there is no heinous offences as against the petitioners.



4. The learned Government Advocate (Crl.side) did not dispute the factual aspects made by the learned counsel of the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner, 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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 respondent police, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;

(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 abscond either during investigation or trial;

(v) the petitioners shall not commit any offence while on bail;

(vi) 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/-

13/11/2017

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION, THANJAVUR.

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

+1. CC to M/S.A.SENTHIL KUMAR Advocate SR.No.34286

ORDER

IN

CRL OP(MD) No.14858 of 2017

Date :13/11/2017

MKV-PM-PN-SAR 4/16.11.2017/3P-6C