



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

Monday, the Thirteenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15436 of 2017

1 M.SANTHANARAJ
2 D.RAJA
3 M.PRAKASH
4 SELVAM
5 S.AMALADAS

... PETITIONERS/ACCUSED No.1to5

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
NORTH POLICE STATION, TUTICORIN DISTRICT.
(CRIME NO.561 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.V.MALAIYENDRAN 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 :-

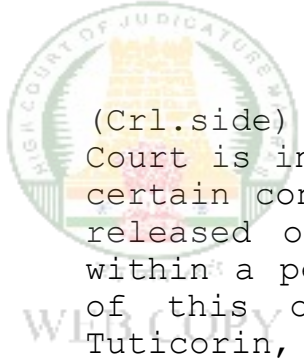
The petitioners/Accused Nos.1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, and 506(ii) of I.P.C, in Crime No. 561 of 2017 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners and the defacto complainant are neighbours. Due to previous enmity, the petitioners attacked the defacto complainant, thereby, the defacto complainant sustained injuries and gave a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured was discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side) that the injured was discharged from the hospital, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tuticorin, 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 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 shall report before the respondent police, daily at 10.00 a.m., for a period of two weeks;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner 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/-
13/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO III, TUTICORIN
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE,
NORTH POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.V.MALAIYENDRAN Advocate SR.No.34294

ORDER IN
CRL OP(MD) No.15436 of 2017
Date :13/11/2017