

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

Monday, the Twentieth day of November Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15814 of 2017

1 BALASUBRAMANIAN
2 ESWARI

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SANKARANKOVIL TALUK POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT.
(CRIME NO.267 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.T.INDRACHITHU, Advocate
For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

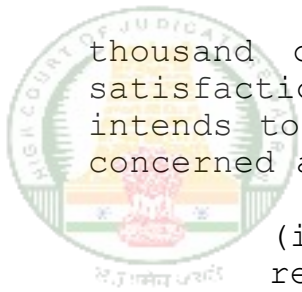
The petitioners, who are arrayed as Accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for offences punishable under Sections 294 (b), 323 and 506(i) of IPC and r/w Section 4 of Women Harassment Act, in Crime No.267 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the previous enmity between the petitioners and the defacto complainant, on 13.11.2017, the petitioners attacked the defacto complainant and thereby, the defacto complainant sustained injuries and admitted in the hospital. Hence, the defacto complainant gave a complaint against the petitioners before the respondent police.

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

4. The learned Government Advocate (Crl.side) appearing for the State 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), 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 Judicial Magistrate, Sankarankovil, 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 first petitioner shall report before the respondent police, daily at 10.00 a.m., for a period of four weeks, and thereafter, as and when required for interrogation;

(ii) the second petitioner shall report before the respondent police, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(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/-
20/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SANKARANKOVIL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
SANKARANKOVIL TALUK POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.INDRACHITHU Advocate SR.No.34837

ORDER IN
CRL OP(MD) No.15814 of 2017
Date :20/11/2017