



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

Wednesday, the Twenty Second day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15998 of 2017

1 GANESAN
2 MURUGAN
3 RAJKUMAR @ MAYAPRABHU ... PETITIONERS / ACCUSED NO.A1,A2,A4

Vs

THE STATE REP.BY,
THE SUB-INSPECTOR OF POLICE
S.S.KOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
IN CRIME NO.47/2017 ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.KAMESWARAN Advocate

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

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

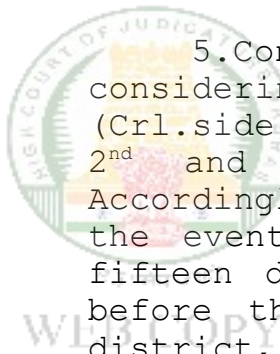
ORDER : The Court Made the following order :-

The petitioners / A1, A2 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.47 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a previous dispute between the defacto complainant and the petitioners. On 18.11.2017, the petitioners attacked the defacto complainant, thereby the defacto complainant sustained grievous injuries in his hand and admitted in the hospital. Hence the defacto complainant gave a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that A1 was arrested and remanded in judicial custody. Hence the question of granting anticipatory bail does not arise in favour of A1. Accordingly, the other accused persons/ A2 and A4 pray for anticipatory bail. There is no specific overt act against these petitioners/A2 and A4 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 though he was discharged from the government hospital. However, he was taking treatment in the private hospital.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners/A2 and A4 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, Thiruppathur, Sivagangai 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 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/A2 and A4 shall report before the respondent police, daily at 10.30 a.m., for a period of four weeks;
- (ii) the petitioners/A2 and A4 shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners/A2 and A4 shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners/A2 and A4 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/-

22/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUPPATHUR, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE SUB-INSPECTOR OF POLICE,
S.S.KOTTAI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.KAMESWARAN Advocate SR.No.34876

ORDER IN

CRL OP (MD) No.15998 of 2017

Date :22/11/2017