



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

Wednesday, the Twenty Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16285 of 2017

1 S. THANVEER
2 M. MANIKANDAN

... PETITIONERS/ ACCUSED NO.1 AND 2
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
C3, S.S. COLONY POLICE STATION, MADURAI.
CRIME NO.1193 OF 2017 ... RESPONDENT / COMPLAINANT

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

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

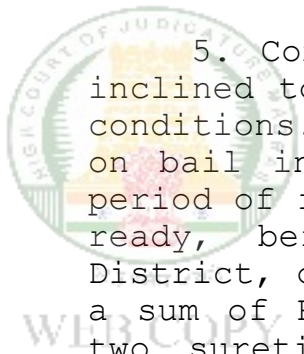
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 75(II) of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.1193 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are working as teachers in Sri Aurobindo Mira Matric Hr. Sec. School situated at Nehru Nagar, Madurai, as higher secondary teachers. The allegation against the petitioners is that they forced a student, who is the defacto complainant's son, to perform well in order to get more marks in their subjects. Thereby, the said student jumped from the first floor of the school and sustained injuries. Thereby, based on the complaint, the case has been registered for the above said offences.

3. The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that in order to increase the performance of the students, the teachers sincerely advised all the students for their betterment of future. However, this boy jumped from the first floor and sustained injuries. The petitioners are no way connected to this incident.

4. The learned Government Advocate (Criminal side) appearing for the respondent did not dispute the submission made by the learned counsel for the petitioners.



5. Considering the facts and circumstances of the case, 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 on which the order copy is made ready, before the learned Judicial Magistrate No.II, Madurai 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 shall make themselves available for interrogation as and when required by the investigation officer;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall not commit any offence while on bail;
- (iv) 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/-
29/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE INSPECTOR OF POLICE,
C3, S.S. COLONY POLICE STATION, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.35368

ORDER IN
CRL OP(MD) No.16285 of 2017
Date :29/11/2017

MS/CM-VR/SAR.3/05.12.2017/2P.6C