



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

Thursday, the Thirtieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16432 of 2017

1 M.KANNAN
2 M.VELMURUGAN
3 V.PANDIAMMAL
4 SATHISH KUMAR

... PETITIONERS / ACCUSED NO.1 to 4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KADAMALAIGUNDU POLICE STATION,
THENI DISTRICT.
(CRIME NO.553 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.JEGADEESWARAN Advocate

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

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

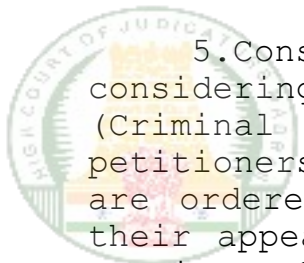
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 4, apprehend arrest at the hands of the respondent police for an offence punishable under Sections 294(b), 323, 324 and 307 of I.P.C., in Crime No.553 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioners are brothers. Due to property dispute between the defacto complainant and the petitioners, the petitioners attacked the defacto complainant and due to which, the defacto complainant sustained injuries and was admitted in the hospital. Hence, the defacto complainant lodged a complaint before the respondent police.

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

4.The learned Government Advocate (Criminal 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 (Criminal 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, Andipatti, Theni 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/-

30/11/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.JEGADEESWARAN Advocate SR.No.35548

ORDER IN

CRL OP(MD) No.16432 of 2017

Date :30/11/2017