



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

Monday, the Fourth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16561 of 2017

1 AYYAM PERUMAL
2 SATHYAKALA

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.769 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.S.VANCHINATHAN Advocate

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

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

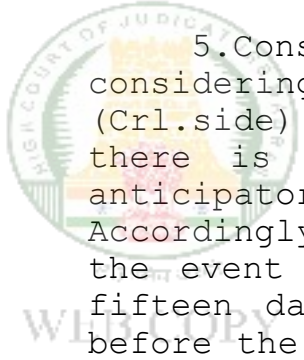
ORDER : The Court Made the following order :-

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324 & 506(ii) I.P.C., in Crime No.769 of 2017 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 23.11.2017 at 9.30 p.m, while the defacto complainant returning from his work place, the petitioners asked the defacto complainant to withdraw the case filed by him in the earlier occasion. The same was refused by the defacto complainant, thereby, the petitioners attacked the defacto complaint with iron rod and sustained injuries. Hence the defacto complainant lodged a complaint before the respondent police against the petitioners herein.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He further submitted that there is a case in counter in Crime No.768 of 2017 lodged against the defacto complainant by the first petitioner herein.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that he did not disputed the above said of facts and injured 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 discharged from the hospital and also there is a case in counter, 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, Melur 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 petitioner No.1 (Ayyam Perumal) shall report before the respondent police daily at 10.30 a.m. for a period of four weeks, thereafter as and when required for interrogation.

(ii) the petitioner No.2 (Sathyakala) 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 make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioners shall not abscond either during investigation or trial.

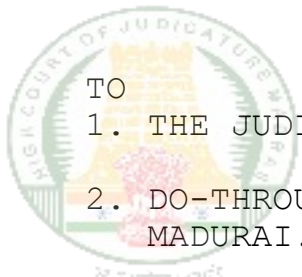
(vi) the petitioners shall not commit any offence while on bail;

(vii) 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/-
04/12/2017

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, MELUR.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
OTHAkadai POLICE STATION, MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.VANCHINATHAN Advocate SR.No.35531

ORDER

IN

CRL OP(MD) No.16561 of 2017

Date :04/12/2017

MS/CM-VR/SAR.1/07.12.2017/3P.6C