



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

Tuesday, the Fifth day of December Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16656 of 2017

1 R.C.MARIA ANTONY
2 MATHAMMAL

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

STATE REP.BY
THE INSPECTOR OF POLICE,
THUVAKUDI POLICE STATION, TRICHY DISTRICT.
IN CRIME NO.397 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.V.SELVA, 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 :-

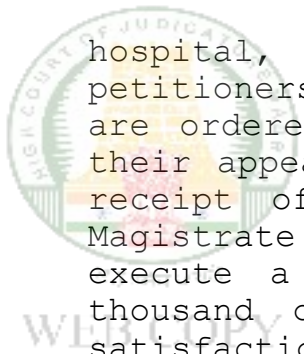
The petitioners, who are arrayed as Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 447, 294(b), 323, 427 and 506(i) of I.P.C. r/w 379 of IPC in Crime No.397 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the relative of the second petitioner. The second petitioner is the land lord and the defacto complainant is the tenant to the second petitioner. The defacto complainant is default in payment of rent for four months. When, the second petitioner questioned about the same there was a wordy quarrel arose between him and the defacto complainant, at that time, the petitioners attacked the defacto complainant, thereby she sustained injury and admitted in this hospital. Hence, she gave a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. They only questioned about the non payment of rent by the defacto complainant. The defacto complainant has lodged this complaint before the respondent police only with an intention to cheat the rent amount.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that the injured person has been 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 person has been discharged from the



hospital, 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 No.VI, Trichy, 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 10.30 a.m for a period of two weeks, after that as and when required for interrogation;

(ii) the 2nd 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/-
05/12/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
3. THE INSPECTOR OF POLICE,
THUVAKUDI POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.35665

ORDER IN
CRL OP(MD) No.16656 of 2017
Date :05/12/2017