



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

Friday, the Fifteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17322 of 2017

1 C.MUTHUKUMAR
2 G.KANNAN
3 T.RAJA
4 P.MANIKANDA JOTHILINGAM
5 S.RAJASUDHAN
6 C.BHARATHI

... PETITIONERS/ACCUSED No.1 to 6

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.658/2017.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.PALANI VELAYUTHAM Advocate

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

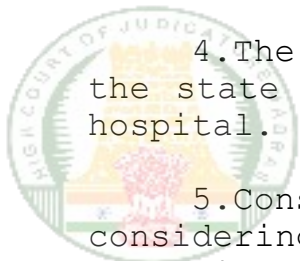
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1 to 6, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 323, 324, 342, 447 and 506(ii) of I.P.C and Section 3(1) of Tamil Nadu Prevention of Damage to Public Property Act, 1984, in Crime No.658 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 10.12.2017, on keeping the vengeance as against him and also on the instigation of the 1st petitioner, five known persons entered into the house of the defacto complainant and abused him in filthy language. Thereafter the petitioners No.2 and 3 caught hold of the defacto complainant and the 4th petitioner stabbed him with a knife, the 5th and 6th petitioners kicked him and subsequently the defacto complainant fell down in the earth, thereby he sustained injury and gave the complaint against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners is an innocent and did not committed any offence as alleged by the prosecution.



4.The learned Government Advocate (Criminal side) appearing for the state would submit that the injured person discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Crl.Side), that the injured person 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, Valliyoor, Tirunelveli 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 appear before the respondent police daily at 10.00 a.m., for a period of two weeks, thereafter as and when required for interrogation;
- (ii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (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/-
15/12/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI

3 THE INSPECTOR OF POLICE, SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.36481

ORDER

IN

CRL OP(MD) No.17322 of 2017

Date :15/12/2017

PK/PM-PN/SAR-3/20.12.2017 : 3P/6C