



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17912 of 2017

1 RAJA
2 DEVA
3 PITCHAIMUTHU

... PETITIONERS/ ACCUSED 1 TO 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THUVAKUDI POLICE STATION,
THUVAKUDI, TRICHY DISTRICT.
CRIME NO.417 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.P.GANAPATHI SUBRAMANIAN, Advocate

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

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

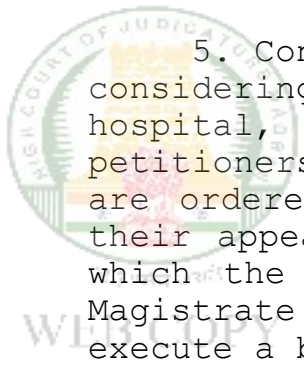
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC, in Crime No.417 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 13.12.2017, due to the dispute regarding fetching water from the common water pipe, the petitioners attacked the defacto complainant and thereby, he sustained injuries. Based on the complaint, a case has been registered for the above said offences.

3. The case of the petitioner is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that in fact one Subbaiah attacked the petitioners on 13.12.2017 and based on their complaint, a case has been registered in Crime No.418 of 2017 for the same offences. This is a case and case in counter.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the injured has been discharged from the hospital and investigation is still pending.



5. Considering the facts and circumstances of the case and also considering the fact that the injured 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 on which the order copy is made ready, 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 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 report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks and thereafter as and when required;

(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 commit any offence while on bail;

(v) 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/-
22/12/2017

/ 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, THUVAKUDI, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.37007

ORDER IN
CRL OP(MD) No.17912 of 2017
Date :22/12/2017