



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.17983 of 2017

1 CHINNAMMAL
2 HARIHARAN

... PETITIONERS/ACCUSED No.1&3

Vs

STATE REP. BY INSPECTOR OF POLICE,
VATTATHIKKOTTAI POLICE STATION,
VATTATHIKKOTTAI, THANJAVUR DISTRICT.
(CR.NO.180 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.M.VIJI 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 :-

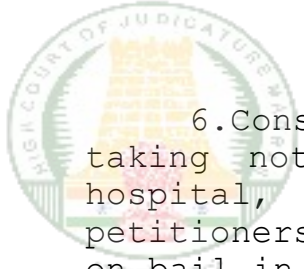
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) and 427 of IPC in Crime No.180 of 2017 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that when the de facto complainant was on her way to agricultural field, the petitioners along with other accused have abused and assaulted with stick and thereby caused injury.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners.

5.The learned Government Advocate (Crl.side) submitted that the injured discharged from the hospital and charge sheet has not been filed in this case.



6. Considering the facts and circumstances of the case and taking note of the fact that injured was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukkottai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily at 10:30 am until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial. [d] 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 as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
28/12/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI
- 2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT
- 3 THE INSPECTOR OF POLICE,
VATTATHIKKOTTAI POLICE STATION,
VATTATHIKKOTTAI, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.VIJI Advocate SR.No.37086

ORDER IN
CRL OP(MD) No.17983 of 2017
Date :28/12/2017