



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

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PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18028 of 2017

1 M.MURUGESAN

2 M.CHITHIRA DEVI

... PETITIONERS/ACCUSED Nos.1&2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
(IN CRIME NO.279 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.S.MALAIKANI 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, 427 and 506(ii) IPC in Crime No.279 of 2017 on the file of the respondent police, seek anticipatory bail.

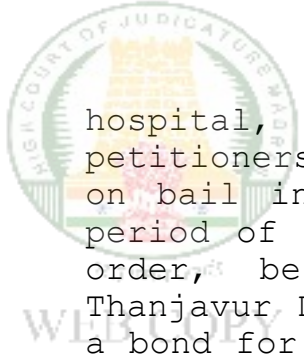
2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to some civil dispute with regard to fencing the property, the petitioners attacked the de facto complainant and also threatened with dire consequences.

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 injured was discharged from the hospital and investigation is pending 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukkottai, Thanjavur District, 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, THANJAVUR DISTRICT

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT

3 THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.S.MALAIKANI Advocate SR.No.37092

ORDER IN

CRL OP(MD) No.18028 of 2017

Date :28/12/2017



SH/RR/SAR-3:02.01.2018:2p/6c

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