



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

Wednesday, the Twenty Second day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1892 of 2017

1 R.MANIKANAN
2 N.MURUGAN
3 K.SHANKAR
4 R.MANIMARAN
5 A.UDAYAKUMAR

... PETITIONERS/ACCUSED NO.1 TO 5

Vs

STATE: REPRESENTED BY
THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
THANJAVUR.
CRIME NO.48 OF 2017.

... RESPONDENTS/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : MR.P.KANDASAMY, Govt. 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 147, 148, 323, 324 and 506(ii) of IPC., in Crime No.48 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the petitioners unlawfully assembled and attacked the defacto complainant with knife, in respect of the dispute of pasting posters regarding temple festival.

3. The learned counsel appearing for the petitioners states that the defacto complainant along with five other accused attacked the petitioners 1 to 3 and the petitioners were admitted in the hospital for taking treatment for injuries and a counter case has been registered against the defacto complainant and his group in Crime No.49 of 2016 on the file of the respondent Police. He would further submit that the petitioners are innocent and they have not committed any offence, as alleged by the prosecution.

4. The learned Government Advocate (crl.side) appearing for the respondent states that totally there are five accused in this case, who are the petitioners herein arrayed as A1 to A5 respectively. He



would further submit that the petitioners attacked the defacto complainant with knife, in respect of the dispute of pasting posters regarding temple festival. A3 said to have attacked the defacto complainant with knife on his rib and A4 and A5 caught hold of the defacto complainant during the occurrence and the injured was discharged from the hospital.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Thanjavur, on condition that each 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 the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required, for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
SOUTH POLICE STATION, THANJAVUR.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.9768
ORDER

IN
CRL OP(MD) No.1892 of 2017
Date :22/02/2017