



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

Tuesday, the Tenth day of January Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.46 of 2017

1 SIVAKUMAR
2 KUTTI @ PARTHIBAN
3 CHANDRAN
4 PREMA
5 GOMATHI

... PETITIONER / ACCUSED
NO.1,3,4,6 & 7

Vs

THE STATE, REP.BY
INSPECTOR OF POLICE
CHATHIRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO.211/2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

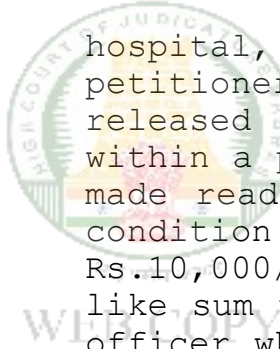
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 294(b) 323, 324, 506(ii) and 336 IPC in Crime No.211 of 2016 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to some political enmity, the petitioners attacked the de facto complainant with deadly weapons and thereby caused injuries.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) submitted that injured person was discharged from the hospital and investigation is pending.



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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Paramakudi, 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 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 a.m. for a period of 4 weeks.

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-
10/01/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI
- 2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE
CHATHIRAKUDI POLICE STATION, RAMNAD DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/KM/SAR-2-19.1.17-2P-5C

ORDER
IN
CRL OP(MD) No.46 of 2017
Date :10/01/2017