



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP (MD) No.5598 of 2017

1 VELLAKUTTY
2 MOHAN

... PETITIONERS / ACCUSED NO.2 AND 3

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
NARIKUDI P.S.,
VIRUDHUNAGAR DISTRICT,
(CRIME NO. 64/17)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.J.CHAKKARAVARTHY Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.2 and 3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 323 IPC and Section 4 of Women Harassment Act in Crime No.64 of 2017 on the file of the respondent police, seek anticipatory bail.

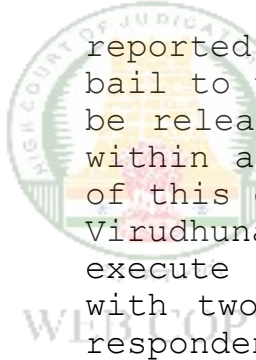
2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3.According to the prosecution, the petitioners along with other accused attacked the defacto complainant and abused her.

4.The learned counsel for the petitioners submitted that the petitioners and the prosecution parties are neighbours and due to some misunderstanding, the petitioners have been falsely implicated in this case and that anticipatory bail may be granted to the petitioners.

5.The learned Government Advocate (Crl.Side) submits that the petitioners have assaulted the victim.

6.Having regard to the fact that the petitioners and the victim parties are neighbours and the petitioners antecedents are not



reported to be bad, this Court is 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, Aruppukottai, Virudhunagar District on condition that each of the petitioner 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 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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/-

04/05/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT AT
SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
NARIKUDI POLICE STATION, VIRUDHUNAGAR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.J.CHAKKARAVARTHY Advocate SR.No.21862

ORDER

IN

CRL OP(MD) No.5598 of 2017

Date :04/05/2017