



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

Thursday, the Eleventh day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP (MD) No.5778 of 2017

1 CHANDRA BOSE
2 VINOTH KANNAN
3 ALEX PANDI

... PETITIONERS / ACCUSED NO.3 TO 5

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
KADAMBUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.23 of 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.PRABHU for M/S.POLAX LEGAL SOLUTIONS Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

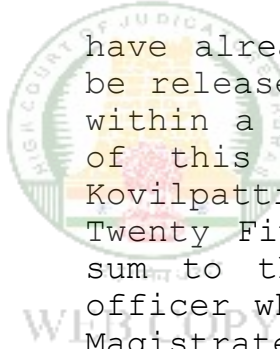
Apprehending arrest at the hands of the respondent police in Crime No.23 of 2017, on the file of the respondent police for offence under Sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C., the petitioners are now before this Court seeking Anticipatory Bail.

2. The case of the prosecution is that on 03.05.2017, in the temple festival, a wordy quarrel arose between the petitioners and the de-facto complainant and the petitioners attacked the de-facto complainant with wooden stick and threatened him with dire consequences.

3. The learned counsel for the petitioners would submit that the petitioners have been arrayed as A3, A4 and A5 and A1 and A2 have already been arrested and released on bail by the learned Judicial Magistrate, Kovilpatti in Crl.M.P.No.3711 of 2017

4. The learned Government Advocate (Crl.side) would submit that this is a case of case in counter and the injured has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital and also considering the fact that the co-accused



have already been released on bail, 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 No.II, Kovilpatti on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 appear before the Elayirampennai Police Station, Thoothukudi District daily at 10.00 a.m. for a period of 30 days.

[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 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/-

11/05/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
KADAMBUR POLICE STATION, THOOTHUKUDI DISTRICT

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

+1. CC to M/S.POLAX LEGAL SOLUTIONS Advocate SR.No.21995

ORDER

IN

CRL OP(MD) No.5778 of 2017

Date :11/05/2017

MKV-MSA-SAR 3/12.5.2017/2P-6C