



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

Tuesday, the Seventh day of March Two Thousand Seventeen
PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU
CRL OP(MD) No.802 of 2017

1 MURUGESAN
2 RAMALINGAM

... PETITIONER/ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
RAMNAD DISTRICT.
(CR NO. 93 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-1 & A-2, in Crime No.93 of 2016 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 324, 307 of I.P.C @ 147, 148, 294(b), 324, 307 and 302 of I.P.C and hence, seek anticipatory bail.

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

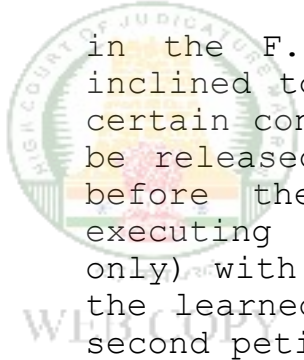
3.The case of the prosecution is that due to election motive, the petitioners alleged to have scolded the defacto complainant in filthy language and also attacked him with Aruval.

4.The learned Government Advocate(Crl. Side) on instructions submitted that the first petitioner/A-1 was arrested. He further submitted that the other co-accused namely, A-4, A-5 and A-9 were granted anticipatory bail by this Court in Crl.O.P(MD)No.23784 of 2016 vide order dated 23.12.2016.

5.The learned counsel appearing for the petitioner submitted that there is no specific overt act as against the second petitioner and hence, he may be considered for granting anticipatory bail.

6.In view of the submission made by the learned Government Advocate(Crl. Side), this Criminal Original Petition is dismissed in respect of the first petitioner.

7. Considering the facts and circumstances of the case and also considering the fact that the co-accused have been granted anticipatory bail by this Court and there is no specific overt act



in the F.I.R, as against the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner, with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Kamuthi and on his executing 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 learned Magistrate concerned and on further condition that the second petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The second petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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

sd/-
07/03/2017

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

TO

1.THE JUDICIAL MAGISTRATE, KAMUTHI

2.-DO- THROUGH CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3.THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
RAMNAD DISTRICT.

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

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.12966

ORDER IN
CRL OP(MD) No.802 of 2017
Date :07/03/2017

AAM-SV MMS/SAR3/10.03.2017 2P 6C