



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

Tuesday, the Twenty Fifth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8201 of 2017

1 RAMU @ RAMASAMY
2 CHINNARAMU @ ELAYAPERUMAL
3 MANIKANDAN

... PETITIONERS / ACCUSED NO.1,2 & 4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SRIVILLIPUTTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO. 409 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.SATISH Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

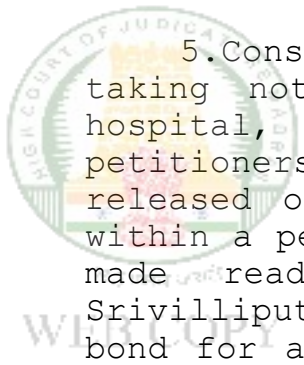
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 294(b), 307 of IPC in Crime No.409 of 2017 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 and his relatives and caused injury.

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 Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 4 named and 7 unnamed accused and the petitioners are arrayed as A1, A2 and A4 respectively. He also submitted that 1st petitioner attacked with woodenlog on the forehead of the de facto complainant, the 2nd petitioner attacked the relative of the de facto complainant with a curial and the 3rd petitioner armed with woodenlog and threatened. He further submitted that injured was discharged from the hospital and investigation is still pending.



5.Considering the facts and circumstances of the case and also taking note of the fact that injured was discharged from the 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 No.II, Srivilliputhur, 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 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 stay at Madurai and report before the Judicial Magistrate No.II, Madurai daily at 10.30 a.m. until further orders.

[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/-
25/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.
- 2 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 3 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 4 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 5 THE INSPECTOR OF POLICE,
SRIVILLIPUTTUR TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.SATISH Advocate SR.No.27275

ORDER IN
CRL OP(MD) No.8201 of 2017
Date :25/07/2017