



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

Wednesday, the Fifth day of July Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.8378 of 2017

WEB COPY

1 V.ARUMUGAM
2 V.PALANI @ PALANIYAMMAL
3 V.PERIYAYYA
4 S.AYYAMMAL
5 S.RAJESWARI

... PETITIONERS/ACCUSED A1 TO A5

Vs

STATE THROUGH
THE SUB-INSPECTOR OF POLICE
MELAVALAVU POLICE STATION,
CRIME NO. 201/2017,
MADURAI DISTRICT

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. D. THIRUPPATHI 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 294(b), 148, 342, 323, 355 & 506(i) of IPC in Crime No.201 of 2017 on the file of the respondent Police, seek anticipatory bail.

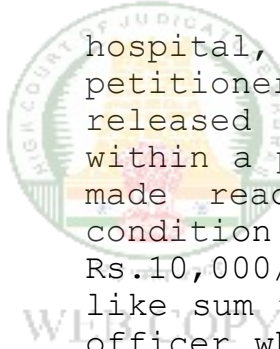
2.The case of the prosecution is that the de facto complainant is the wife of the first petitioner, the 2nd petitioner is the mother of the first petitioner and the petitioners 3 and 4 are the brother and sister of the 1st petitioner. Due to some family dispute, the petitioners abused and assaulted the defacto complainant and also threatened with dire consequences.

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 there are totally five accused, who are the petitioners herein. Due to some family dispute, the first petitioner is said to have attacked the defacto complainant with aruvalmanai and the second petitioner is said to have attacked with the drum stick and the third petitioner is said to have attacked with stick and the petitioners 4 and 5 have caught hold her. He also submitted that injured was discharged from the hospital.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also considering the fact that the injured person 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, Melur, 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 second petitioners shall report before the respondent Police as and when required and the other petitioners shall report before the respondent Police 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/-
05/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE SUB-INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. D. THIRUPPATHI Advocate SR.No.25902
nbj
CSL/CM-MSA/SAR-I/10.07.2017 : 2P/6C

ORDER
IN
CRL OP (MD) No.8378 of 2017
Date :05/07/2017