



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.8395 of 2017

1 MAHARAJAN
2 KALIRAJ

... PETITIONER/ACCUSED NO.1 AND 2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KAYATHARU POLICE STATION,
CRIME NO.253 OF 2017,
TUTICORIN DISTRICT

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. R. RAJAMOHAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

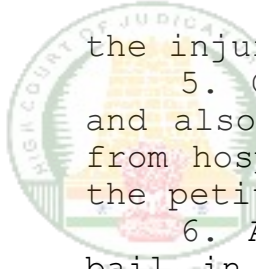
ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC., in Crime No.253 of 2017, seek anticipatory bail.

2. The case of the prosecution is that due to business motive, the petitioners said to have attacked the defacto complainant with knife and thereby caused injuries.

3. The learned counsel appearing for the petitioners states that the petitioners are innocent and they have not committed any offence, as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two accused in this case, who are the petitioners herein, who arrayed as A1 and A2 respectively. The first petitioner is running a Hotel in the name of 'Mass Briyani Stall' and the defacto complainant is also running a Hotel in the name of 'Bala Mess'. Due to business motive, the first accused threatened the defacto complainant to close the business of the Hotel. The second accused, who is a close relative of the first accused, is said to have attacked the defacto complainant with knife and caused injuries. He also submitted that



the injured has been discharged from the hospital.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that petitioners shall execute each 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 the petitioners shall report before respondent Police daily at 10.30 a.m., until further orders, for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

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

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 NO.II, KOVILPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

3 THE INSPECTOR OF POLICE
KAYATHARU POLICE STATION, TUTICORIN DISTRICT

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

+1. CC to M/S. R. RAJAMOHAN Advocate SR.No.25901

MPK

CSL/CM-MSA/SAR-II/07.07.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.8395 of 2017

Date : 05/07/2017