



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

Wednesday, the Twelfth day of July Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.8828 of 2017

WEB COPY

1 MAHENDRAN
2 BALAJI
3 BALAGURU
4 ANANDA BOOBALAN
5 PARTHIBAN
6 BALAMURUGAN
7 SEKAR
8 MAYILVAGANAN

... PETITIONERS/ACCUSED NO.1 TO 8

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.526/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MADHANKUMAR, 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), 323, 324 & 506(ii) of IPC in Crime No.526 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, the District Collector, Sivagangai calling upon the office bearers of Tamil Nadu Revenue Officers' Association regarding the demands of the Association. The de facto complainant participated in the said meeting along with another office bearers. After completion of the meeting, there was a wordy quarrel arose between the de facto complainant and the petitioners herein and that the petitioners attacked the de facto complainant and two others and thereby caused injury on them.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that it is a case of case in counter and the counter case, which has been registered in Crime No.527 of 2017, has been given by the 1st petitioner herein.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 8 accused and the petitioners are arrayed as A1 to A8 in this case.

He also 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, Sivagangai, 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 report before the respondent Police as and when required.

[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/-

12/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SIVAGANGAI.

2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

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

+2. CC to M/S.R.ANAND Advocate SR.No.26392,26397

ORDER

IN

CRL OP(MD) No.8828 of 2017

Date : 12/07/2017