



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

Thursday, the Twentieth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9255 of 2017

1 ANANTHAN
2 SIVAPERUMAL

... PETITIONERS / ACCUSED No.1 & 2

Vs

State rep.by
THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
TUTICORIN,
TUTICORIN DISTRICT,
CR NO. 597 of 2017.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.JEGADEESWARAN 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 alleged offence punishable under Sections 294(b), 323 and 506(ii) of IPC., in Crime No.597 of 2017, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute in respect of administration of a private Temple and the first petitioner said to have kicked the defacto complainant, who fell down from his vehicle and got injured.

3. The learned counsel appearing for the petitioners states that the defacto complainant and the 2nd accused are brothers and the petitioners have been falsely implicated in this case and they are innocent. He would further submit that in the event of the relief of anticipatory bail is granted, the petitioners may be directed to appear before the learned Judicial Magistrate No.1, Thoothukudi, instead of respondent Police.

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, arrayed as A1 and A2 respectively. He would further submit that there was a dispute in respect of administration of a private Temple and the



first petitioner said to have kicked the defacto complainant, who fell down from his vehicle and got injured and the injured has been discharged from the hospital and the investigation is still pending.

5. Considering the above facts and circumstances of the case and the injured has been discharged from the 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.I, Tuticorin, on condition that each 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 the petitioners shall report before the learned Judicial Magistrate No.I, Tuticorin, daily at 10.30 a.m., until further orders. 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/-
20/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, TUTICORIN

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI

3 THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
TUTICORIN, TUTICORIN DISTRICT

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

+1. CC to M/S.R.JEGADEESWARAN Advocate SR.No.26972

SM:PM-PN:SAR I:21.7.2017:2P/6C

ORDER
IN
CRL OP(MD) No.9255 of 2017
Date :20/07/2017