



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

Monday, the Thirty First day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9422 of 2017

1 SATHEESH KUMAR
2 MANJULA

... PETITIONERS/ACCUSED 1 & 2

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
GOVERNMENT HOSPITAL POLICE STATION,
TIRUCHIRAPPALLI CITY
TIRUCHIRAPPALLI DISTRICT,
CRIME NO.138 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU 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 are arrayed as Accused No.1 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294 (b), 323 and 506 (ii) I.P.C., in Crime No.138 of 2014 on the file of the respondent police, seek anticipatory bail.

2.Earlier, this Court in Crl.O.P(MD)No.4643 of 2017 granted anticipatory bail to the petitioners with certain conditions. Since the petitioners are not in a position to comply with the conditions within the time stipulated in the order, they filed a petition in Crl.M.P(MD)No.5563 of 2017 seeking extension of time, but the same was dismissed stating that it was filed out of time. Hence, the petitioners have filed the present application seeking anticipatory bail. This Court by the order dated 24.07.2017, directed the petitioners to pay a sum of Rs.1,000/- to the High Court Legal Services Committee attached to this Bench and posted the matter for further hearing on 28.07.2017.

3.Today, when the matter was taken up for hearing, the learned counsel for the petitioners submitted that the petitioners have deposited the amount and produced the receipt for the same. It is further submitted that the petitioners have been falsely



implicated in the present case and hence they seek anticipatory bail.

4.The learned Additional Public Prosecutor submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners have complied with the condition, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Trichy District, on condition that each of 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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/-
31/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.



3 THE INSPECTOR OF POLICE,
GOVERNMENT HOSPITAL POLICE STATION,
TIRUCHIRAPPALLI CITY, TIRUCHIRAPPALLI DISTRICT.

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

WEB COPY

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.27685

MJ/KM

CSL/RR-BS/SAR-I/03.08.2017 : 3P/6C

ORDER

IN

CRL OP(MD) No.9422 of 2017

Date :31/07/2017