



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

Monday, the Twenty Fourth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9445 of 2017

1 PRATHAP

2 PRABU

... PETITIONERS/ACCUSED NO.1 AND 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THIRUVARAMBUR POLICE STATION,
TRICHY DISTRICT,
CRIME NO. 573/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

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

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

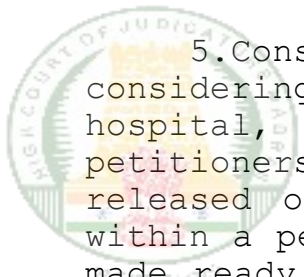
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) IPC in Crime No.573 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to love affairs between the de facto complainant's sister-in-law and the 2nd petitioner herein, a dispute arose between the de facto complainant and the petitioners and hence, the petitioners along with other accused attacked the de facto complainant with woodenlog and iron rod and thereby caused injury.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that it is a case of case in counter and counter case has been registered in Crime No.572 of 2017 on the basis of the complaint given by A1 against the de facto complainant.

4. The learned Additional Public Prosecutor would submit on instruction that totally there are 3 accused and the petitioners are arrayed as A1 and A2 in this case. He also submitted that 1st petitioner attacked the de facto complainant with iron rod on his shoulder and A2 attacked with woodenlog on the shoulder of the de facto complainant. He further submitted that injured person was discharged from the hospital and investigation is still pending.



5.Considering the facts and circumstances of the case and also considering the fact that 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 No.VI, Trichy 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 daily at 10.30 a.m. for a period of 3 weeks.

[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/-

24/07/2017

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI,TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE,
THIRUVARAMBUR POLICE STATION, TRICHY DISTRICT.

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

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.27200

NBJ

CSL/CM-MSA/SAR-IV/27.07.2017 : 2P/6C