



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

Thursday, the Twenty Seventh day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9712 of 2017

1 RANJITHAM
2 RETHU MALA

... PETITIONERS/ ACCUSED NO.3 AND 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.261 OF 2017) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.ANAND 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 offences punishable under Sections 341, 294(b), 323, 506(ii) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No. 261 of 2017, seek anticipatory bail.

2.The case of the prosecution is that there is a dispute with regard to the pathway between the petitioners and the defacto complainant. The petitioners along with other accused were said to have pulled the saree of the daughter-in-law of the defacto complainant and assaulted on her back. The petitioners were said to have abused with filthy language against the defacto complainant and had threatened with dire consequences and the investigation is still pending.

3.The learned counsel appearing for the petitioners states that the petitioners are innocent and no such occurrence was happened as alleged by the defacto complainant.

4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are



totally four accused in this case and the petitioners herein were arrayed as A3 and A4. A1 and A2 were arrested and released on bail.

5. Considering the above facts and circumstances of the case and also considering the facts that the injured was 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, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Valliyoor, 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 first petitioner/A3 shall report before the respondent police, as and when required and the second petitioner/A4 shall report before the respondent police daily at 10.30 a.m. until further orders.

[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 concerned Magistrate 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 Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
27/07/2017

/ TRUE COPY /

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



MRN/MSA

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION, TIRUNELVELI DISTRICT

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

+1. CC to M/S.R.ANAND Advocate SR.No.27578

GJM/CM/MSA/SAR-3-31.7.17-3P-6C

ORDER

IN

CRL OP(MD) No.9712 of 2017

Date :27/07/2017