



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9927 of 2017

1 VINOTH @ VINOTH KUMAR

2 BHARATHI ... PETITIONERS/ACCUSED NO.8 & 10

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
KEELA SELVANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO.29 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MR.C.RAMESH, Additional Public Prosecutor

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

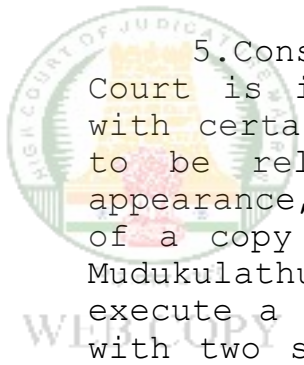
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.8 & 10, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 427 and 506(ii) I.P.C., r/w Section 4 of TNPHW Act, in Crime No.29 of 2017, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that due to a wordy altercation, the accused persons abused the defacto complainant using filthy languages and threatened with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioner and the defacto complainant are belonged to the same village and the petitioners have been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that already the Sessions Court granted bail to the petitioner with the condition to execute the surety within a period of 10 days and due to unavoidable circumstances, the petitioners are not able to produce sureties as ordered by the Sessions Court. Hence, bail stands dismissed. Now, they came with this petition.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mudukulathur, 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 petitioner shall appear before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

01/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
KEELA SELVANOOR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.27751

CSL/RR-BS/SAR-I/03.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.9927 of 2017

Date : 01/08/2017