



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

Tuesday, the Fourteenth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.23975 of 2016

1 MUTHUKUMAR
2 PANDIDURAI

... PETITIONERS/ACCUSED NOT KNOWN

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.863 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.M.ANANTHA MURUGAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Cr1. Side)

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 147, 148, 341, 294(b) and 307 of IPC in Crime No.863 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.Heard the learned counsel on either side.

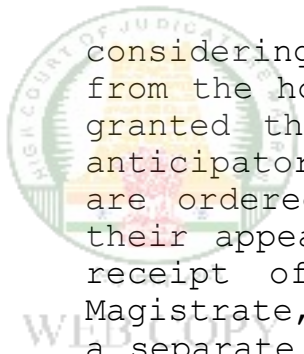
3.The case of the prosecution is that due to previous enmity, on 13.11.2016, the Petitioners said to have attacked the de-facto complainant with sword and caused grievous injuries.

4.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners. It is further submitted by the learned counsel for the Petitioners that A3 and A4 has already been granted the relief of anticipatory bail by this Court in Cr.O.P(MD)No.22001 of 2016, dated 21.11.2016.

5.The learned Government Advocate (Cr1.side) submitted that the injured has already been discharged from the hospital.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Considering the facts and circumstances of the case and also



considering the fact that the injured has already been discharged from the hospital and that A3 and A4 in this crime has already been granted the relief of anticipatory bail, 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sivakasi on condition that the petitioners shall execute a separate 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., 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 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/-
14/02/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.ANANTHA MURUGAN Advocate SR.No.8208
VSN
CSL/CM-MSA/SAR-I/20.02.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.23975 of 2016
Date :14/02/2017