



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

Monday, the Ninth day of January Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP(MD) No.24058 of 2016

1 C. JEYAPANDI,
2 P. ILAIYARAJA,
3 R. JAYARAJ

... PETITIONERS/ACCUSED
RANK NOT KNOWN.

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
AMMAIYANAYAKKANUR POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.390 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.VENKATESAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 452, 324 and 506(ii) IPC in Crime No.390 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that while taking water in a street tap, a wordy quarrel arose between the petitioners and the de facto complainant and hence, the petitioners attacked the de facto complainant and also threatened here with dire consequences.

3.The learned counsel for the petitioners submitted that it is a case of case in counter and counter case has been registered in Crime No. 389 of 2016. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate(Crl. Side) submitted that totally there are 4 accused in this case and the petitioners attacked the de facto complainant with aruval and thereby caused injury. He also submitted that injured person has been discharged from the hospital.



5. Considering the facts and circumstances of the case and also taking note of 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, Nilakottai, 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 4 weeks.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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/-
09/01/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, NILAKOTTAI
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, AMMAIYANAYAKKANUR POLICE STATION,
DINDIGUL DISTRICT.

+1. CC to M/S.R.VENKATESAN Advocate SR.No.2054.

ORDER

IN

CRL OP(MD) No.24058 of 2016

Date : 09/01/2017