

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

Wednesday, the First day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.587 of 2017

1 SUBRAMANIYAN @ PANDI

2 SATHISH ... PETITIONERS / ACCUSED 1 & 3

Vs

STATE REP BY,
THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
Crime No.2 of 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.J.CHAKKARAVARTHY 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 apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.2 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to some election dispute, the petitioners along with other accused attacked the de facto complainant with deadly weapons and 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 further submitted that it is a case of case in counter and the 1st petitioner has also given a complaint and the same was registered in Crime No.3 of 2017.

4.The learned Government Advocate (Crl.side) submitted that totally there are 3 accused in this case and the petitioners are A1 and A3. He further submitted that A2 was enlarged on bail by the concerned Judicial Magistrate and injured person was discharged from the hospital.

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, Aruppukottai, 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/-

01/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUTHUNAGAR DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUTHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.J.CHAKKARAVARTHY Advocate SR.No.5419

ORDER

IN

CRL OP(MD) No.587 of 2017

Date :01/02/2017