



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

Tuesday, the Third day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5069 of 2018

1 JEYA,
2 PUSHPALATHA,
3 ARUNKUMAR,

... PETITIONERS/ACCUSED Nos.1 to 3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TOWN POLICE STATION, RAMESWARAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO.53/2018)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.K.GOKUL Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

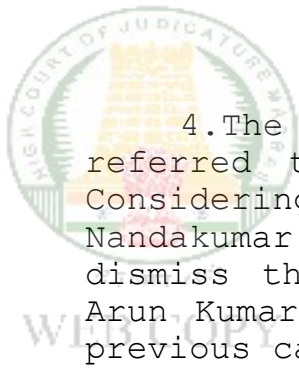
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.53 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is one Nandakumar. There was a wordy quarrel between the said Nandakumar and Jeya, the mother of the third petitioner herein. This wordy quarrel had a follow-up. The said defacto complainant was attacked by the petitioners herein and one Vignesh. The defacto complainant was severely injured on the head and he was in hospital for seven days. Therefore, the defacto complainant lodged a complaint and the respondent police registered a case in Crime No.53 of 2018, on the file of the Inspector of Police, Town Police Station, Rananathapuram District.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any of the offences as alleged by the prosecution.



4.The Investigating Officer submits that the victim has been referred to Ramanathapuram Government Hospital for taking scan. Considering the aforesaid nature of infliction of injury on Nandakumar by the third petitioner Arun Kumar, this Court has to dismiss the Anticipatory Bail in respect of the third petitioner Arun Kumar. The other two petitioners are women and there are no previous cases against them.

5.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is still pending and the injured was in hospital for seven days.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the first and second petitioners alone with certain conditions and in so far as the third petitioner is concerned, this petition is dismissed. Accordingly, the first and second petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Rameswaram and on their executing 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 learned Magistrate concerned and on further condition that the first and second petitioners shall appear before the respondent police as and when required for interrogation. The first and second petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The first and second petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

03/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESWARAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, RAMESWARAM, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.GOKUL Advocate SR.No.5331

ORDER IN
CRL OP(MD) No.5069 of 2018
Date :03/04/2018