



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.117 of 2018

1 S.R.K. KARTHIK @ KARTHIKEYAN

2 PALLUPANDI @ PANDIAN

... PETITIONERS/ACCUSED 1, 3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

VEDASANDUR POLICE STATION,

VEDASANDUR TALUK,

DINDIGUL DISTRICT

(CRIME NO. 560 OF 2017)

... COMPLAINANT/RESPONDENT

For Petitioners : M/S.M.VIGNESHKUMAR Advocate

For Respondent : MR.K.S.DURAIPANDIAN, Additional Public Prosecutor

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

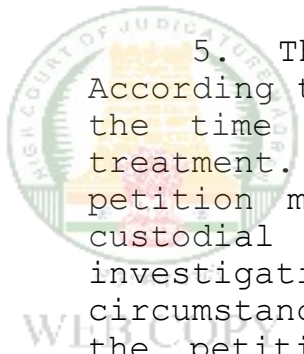
ORDER : The Court Made the following order :-

The petitioners/A1 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323, 341 and 506(i) IPC, in Crime No.560 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.12.2017, due to previous enmity, the petitioners assaulted the defacto complainant by using stick and abused by using filthy language and also made life threat to him. Based on the compliant, case has been registered for the above said offences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions, would submit that the injured has been discharged from the hospital and investigation is still pending.



5. The submissions made by either are side considered. According to the prosecution, the person who sustained injury during the time of alleged occurrence is discharged after completing treatment. Except the offence under Section 506(i) of IPC, all other petition mentioned offences are bailable in nature. Accordingly, custodial interrogation is not necessary for completing the investigation. Therefore, considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 on which the order copy is made ready, before the learned District Munsif cum Judicial Magistrate, Vedsanthur, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 petitioners shall report before the investigation officer, daily at 10.00 a.m., for a period of three weeks and thereafter as and when required;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (iv) 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/-
05/01/2018

/ TRUE COPY /

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



TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR, DINDIGUL DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
VEDASANDUR POLICE STATION,
VEDASANDUR TALUK, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.M.VIGNESHKUMAR Advocate SR.No.179

ORDER

IN

CRL OP(MD) No.117 of 2018

Date :05/01/2018

PK/CM-VR/SAR-1/08.01.2018 : 3P/6C