



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

Tuesday, the Thirtieth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1364 of 2018

1 SELVI
2 MANI
3 LAKSHMI

... PETITIONERS / ACCUSED 1,3 & 4

Vs

THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.6 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.G.MOHANKUMAR Advocate

For Respondent : Mr.A.ROBINSON, 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), 323, 324 & 506(ii) IPC and Section 4 of TNWH Act in Crime No.6 of 2018, seek anticipatory bail.

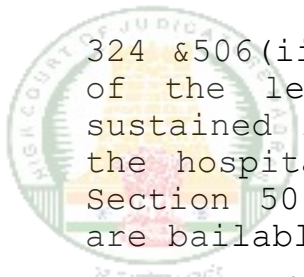
2.The case of the prosecution is that due to some dispute, the petitioners abused and assaulted the de facto complainant and caused injuries to him.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned counsel appearing for the petitioners seeks permission of this Court to withdraw this petition in respect of the second petitioner. He has also made an endorsement to that effect.

4.The learned Government Advocate (Crl.side) submitted that the injured has already been discharged from the hospital and the investigation is still pending.

<https://hcservices.ecourts.gov.in/Bosdoms>
5.The submissions made by the learned counsel on either side are considered. The case has been registered against the petitioners for the offence punishable under Sections 294(b), 323,



324 & 506(ii) IPC and Section 4 of TNWH Act. As per the submissions of the learned Government Advocate (Crl.side), the person, who sustained injuries at the time of occurrence, was discharged from the hospital after completing treatment. Apart from that, except Section 506 (ii) IPC the other offences mentioned in the petition are bailable in nature.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is inclined to grant anticipatory bail to the first and third petitioners, with certain conditions. Accordingly, they 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 No.I, Ramanathapuram, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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:

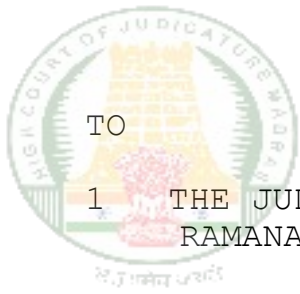
- (i) the first and second petitioners shall report before the respondent Police daily at 10.00 a.m. for a period of three weeks and thereafter, as and when required for interrogation.
- (ii) the first and third petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the first and third petitioners shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the first and third petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the first and third petitioners in accordance with law as if the conditions have been imposed and the first and third 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]**.

7. In view of the endorsement made, this Criminal Original Petition is dismissed as withdrawn in respect of the second petitioner.

Sd/-

30/01/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM ,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM

3 THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM DISTRICT,

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

+1. CC to M/S.G.MOHANKUMAR Advocate SR.No.1601

JAM/12/02/2018/PM-PN/ SAR 4/ 3P-6C

ORDER

IN

CRL OP(MD) No.1364 of 2018

Date :30/01/2018