



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

Tuesday, the Sixth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1767 of 2018

1 NAMBU @ BAKKU

2 NAGANATHAN

... PETITIONERS/ACCUSED 1,2

Vs

STATE REP.BY
INSPECTOR OF POLICE
TOWN POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT,
CRIME NO.14/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.D.BALAMURUGAPANDI Advocate

For Respondent : MR.A.ROBINSSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 355, 323 and 506(i) I.P.C., in Crime No.14 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein assaulted the defacto complainant by using hand, scolded him in filthy language and also made life threat to the defacto complainant. Hence, case has been registered against these petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated in this case, further added that they have not involved any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl.side) appearing for



the State submitted that investigation is still pending.

5. Upon considering the arguments advanced by either side, it is alleged that during the time of occurrence, the petitioners herein assaulted the defacto complainant by using hand, scolded him in filthy language and also made life threat to the defacto complainant. Further, except 506(ii) I.P.C., all other petition mentioned offences are bailable in nature. Hence, custodial interrogation of the petitioners may not be necessary for completing the investigation, hence, this Court is inclined to grant anticipatory bail to the petitioners. 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, Rameswaram, Ramanathapuram 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 respondent Police daily at 10.00 a.m. for a period of three weeks, thereafter, as and when required for interrogation.

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and 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/-

06/02/2018

/ TRUE COPY /



1 THE JUDICIAL MAGISTRATE
RAMESWARAM, RAMANTHAPURAM DISTRICT

2 DO THROUGH 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.D.BALAMURUGAPANDI Advocate SR.No.2058

GJM/CSL/SAR-4-13.2.18-3P-6C

ORDER
IN
CRL OP(MD) No.1767 of 2018
Date :06/02/2018