



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

Thursday, the Eighth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1967 of 2018

1 R. MUTHUPANDI
2 MUNIYASAMY
3 ALAGARSAMY

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
THIRUPPULLANI POLICE STATION,
RAMANATHAPURAM DISTRICT,
IN CR.NO. 04/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.KANNAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government 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 No.rank not known, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 294(b), 324, 307 & 506 (ii) of Indian Penal Code and Section 3 of TNPPDL Act, in Crime No.4 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to a dispute in respect of collecting toll fee, a quarrel arose between the petitioner and the de facto complainant, in which the petitioners assaulted the de facto complainant and caused injury.

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 in no way connected with the offences mentioned above, and thus he pleads for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.side) submitted that the investigation is still pending.

5.The submissions made by the learned counsel appearing on either side considered. It is alleged that during the time of occurrence, the petitioners along with other accused have assaulted the de facto complainant and caused injuries. Now, the person, who sustained injuries, was discharged from the hospital after completing the treatment. Therefore, custodial interrogation may not be necessary for completing the investigation.

6.Taking the above said aspects into consideration and having regard to the nature of offence committed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court 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 petitioners shall report before the respondent Police daily at 10.00 a.m. until further orders.

(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.

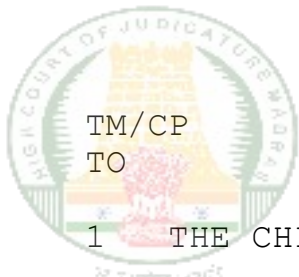
(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and 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/-

08/02/2018

/ TRUE COPY /

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



TM/CP
TO

1 THE CHIEF JUDICIAL MAGISTRATE NO.I, RAMANTHAPURAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
THIRUPPULLANI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.M.KANNAN Advocate SR.No.2156

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

ORDER

IN

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Date :08/02/2018