



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

Friday, the Ninth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2048 of 2018

1 SELATHU RANI

2 RAMACHANDRAN

... PETITIONERS / ACCUSED NO.1 &2

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
CHATRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT
(CRIME NO.21/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.S.JEYAKARTHIK Advocate

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

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

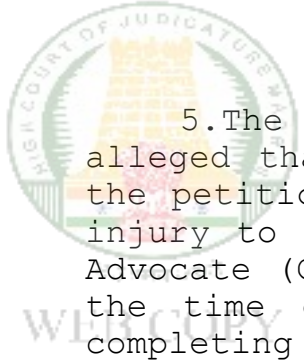
ORDER : The Court Made the following order :-

The petitioners who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.21 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners assaulted the defacto complainant by using deadly weapons and also abused him in filthy language and threatened with dire consequences. Hence, the defacto complainant has lodged the complaint before the respondent police.

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.

4. The learned Government Advocate(Crl. Side) appearing for the respondent would submit that the injured was discharged from the hospital and the investigation is still pending.



5. The submissions made on either side are considered. It is alleged that during the time of occurrence, due to wordy quarrel, the petitioners herein assaulted the defacto complainant and caused injury to him. However, submissions made by the learned Government Advocate (Criminal Side) that the person, who sustained injuries at the time of occurrence, was discharged from the hospital after completing treatment.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court comes to the conclusion that in order to complete the investigation, custodial interrogation is not necessary. Hence, this Court is inclined to grant anticipatory bail to the 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, Paramakudi, 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., for a period of three weeks and 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/-
09/02/2018

/ TRUE COPY /

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



trp/tm
TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
CHATRAKUDI POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.2254

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

ORDER

IN

CRL OP(MD) No.2048 of 2018

Date :09/02/2018