



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

Wednesday, the Fourteenth day of February Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2256 of 2018

WEB COPY

1 AYYANANAN @ AYYAM PERUMAL
2 KARTHI
3 SARATH
4 AYYANANAN @ AYYAM PERUMAL
5 MAHENDREN

... PETITIONERS/
ACCUSED NO.6 TO 8,10 TO 11

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
AMMAYANAICKANUR POLICE STATION,
DINDIGUL DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.J.PRAVEEN, Advocate
For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

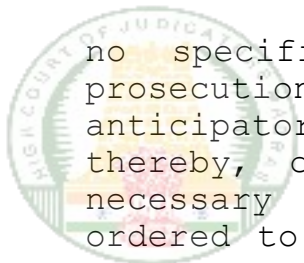
The petitioners/A-6 to A-8, A-10 & A-11, who apprehend arrest at the hands of the respondent Police for the offence punishable under Section 306 I.P.C., in Crime No.311 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint against 11 persons including the petitioner herein, stating that her son had committed suicide due to the humiliation caused to him in police station upon false complaint given by A2, namely Eswari. Hence, case has been registered for the above said offence.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated, further added that they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that investigation is still pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, since case has been registered against the deceased, he committed suicide, after mentioning the name of 11 persons. On go through the averment made in the First Information Report, there is



no specific overtact against the petitioners. According to prosecution, as of now other accused in this case were granted anticipatory bail. Now, part of the investigation is completed, thereby, custodial interrogation of the petitioners may not be necessary for completing the investigation. 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, Nilakottai, 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 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/-
14/02/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
AMMAYANAICKANUR POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.J.PRAVEEN Advocate SR.No.2425

ORDER IN
CRL OP(MD) No.2256 of 2018
Date :14/02/2018