



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

Monday, the Eighth day of January Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.247 of 2018

1 KALIMUTHU
2 SUJITHKUMAR
3 SURESH

... PETITIONERS /ACCUSED 1 TO 3

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
BAZAAR POLICE STATION,
RAMANATHAPURAM.
(CRIME NO. 1 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.A.UTHAYAKUMAR, Advocate
For Respondent : M/S.S.BHARATHI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

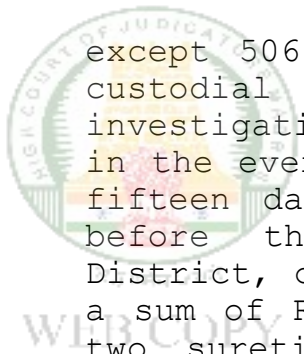
The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294 (b), 324 and 506(ii) I.P.C., in Crime No.1 of 2018, seeking relief to grant of anticipatory bail.

2.The case of the prosecution is that on earlier occasion, the defacto complainant was hitting the first petitioner by the bike, for which, a motive was arose between them, due to the said motive, these petitioners were attacked the defacto complainant and caused simple injury.

3.The learned counsel appearing for the petitioners submitted the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution. He further submitted that injured has been discharged from the hospital. Hence he prays for anticipatory bail.

4.The learned Government Advocate (Criminal Side) submitted that the injured was discharged from the hospital and there is no previous case is pending against the petitioners and investigation is not completed.

5. Considering the submissions made on either side, it disclose that the offences under Sections 294(b), 324 and 506(ii) I.P.C., in Crime No.1 of 2018 has been registered against the petitioners. According to the prosecution of the case, at the time of alleged occurrence, the person who sustained injury was discharged from the hospital after completing the treatment. In the said offences,



except 506(ii), all other offences are bailable in nature. Hence, custodial interrogation is not 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 No.I, 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/-

08/01/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE SUB INSPECTOR OF POLICE
BAZAAR POLICE STATION, RAMANATHAPURAM.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.364

ORDER IN
CRL OP(MD) No.247 of 2018
Date :08/01/2018