



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

Wednesday, the Fourth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.4834 of 2018

1 PANDI
2 TAMILARASAN
3 ILAYARAJA
4 PRAKALATHAN
5 MUTHUVEL

... PETITIONERS/ACCUSED No.5 to 9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MUDHUKULATHUR POLICE STATION,
RAMNAD DISTRICT.
CR.NO.34 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.MUNIYANDI, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections **(*)147, 148, 341, 249(b), 324, 326, 379 and 506(ii)** IPC and Section 3 of TNPPDL Act in Crime No.34 of 2018, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl side) appearing for the respondent.

3.It is alleged by the de facto complainant that on 23.03.2018, the petitioner along with other assaulted him with deadly weapons and thereby caused fracture on his leg.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the investigation is pending.



5. It is submitted that A1 to A4 were already been arrested. It is seen that the petitioners 1 & 2, namely one Pandi and Tamilarasan had attacked the de facto complainant with iron rod. Therefore, this Court taking note of the overt act attributed against them, dismisses the Criminal Original Petition so far as the petitioners 1 and 2 are concerned. It is made clear that the petitioners 1 and 2 will not be entitled to file second petition for anticipatory bail after discharge the injured person from the hospital.

6. However, as regards the petitioners 3 to 5, it is seen that the role attributed to them is lesser. Considering the nature of allegation levelled against the petitioners 3 to 5, this Court is inclined to grant anticipatory bail to the petitioners 3 to 5 subject to the following conditions. Accordingly, the petitioners 3 to 5 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Muthukulathur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 3 to 5 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 3 to 5 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
04/04/2018

/ TRUE COPY /

**(*) AMENDED AS PER ORDER OF THIS HON'BLE
COURT MADE IN CRL.MP(MD) No.2529/18 IN
CRL OP(MD) No.4834/2018 DATED 04.04.2018.**

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKULATHUR,
RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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

WEB COPY

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

+1. CC to M/S.S.MUNIYANDI, Advocate SR.No.5407

ORDER

IN

CRL OP (MD) No.4834 of 2018

Date :04/04/2018

PK/RR-CSL/SAR-3/10.04.2018 : 3P/6C