



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

Tuesday, the Third day of April Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.4905 of 2018

1 GANAGARAJ
2 MURUGAN

... PETITIONER / ACCUSED No.4 & 5

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT,
IN CR.NO.6/2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PRABU Advocate

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

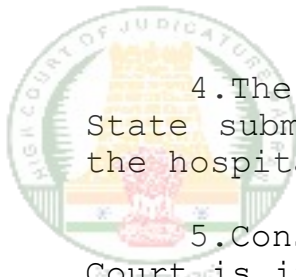
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.4 and 5, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 & 506(ii) of IPC in Crime No.6 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant. One Mochammal had executed a sale agreement of the land in question in favour of the first petitioner. When the first petitioner along with other accused went to visit the land, the defacto complainant quarrelled with the petitioners. The petitioners abused the defacto complainant using filthy language and attacked with iron rod and also threatened the defacto complainant. Therefore, the defacto complainant lodged a complaint and the respondent police registered a case in Crime No.6 of 2018, on the file of the Inspector of Police, Naraikinaru Police Station, Thoothukudi District.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any of the offences as alleged by the prosecution.



4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured has already been discharged from the hospital and the investigation is still pending.

5.Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate No.II, Kovilpatti and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 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.

6.The petitioners 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/-
03/04/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO-II,
KOVILPATTI,
TUTICORIN DISTRICT.

2 DO THOUGH THE CHIEF JUDICIAL,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.M.PRABU Advocate SR.No.5286.

ORDER
IN
CRL OP(MD) No.4905 of 2018
Date :03/04/2018