



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

Tuesday, the Twenty Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.560 of 2018

1 RAVICHANDRAN
2 GOWTHAM
3 MEENA

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.9/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.JEGADEESH PANDIAN Advocate

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

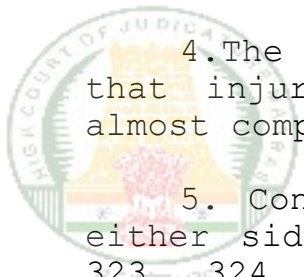
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A-1 to A-3, who apprehend arrest at the hands of the respondent police for the offences under Sections 294(b), 323, 324 and 506(i) I.P.C., in Crime No.9 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the dispute over the ancestral property between the defacto complainant and the first petitioner, the petitioners herein assaulted the defacto complainant, abused him with filthy language, thereby, the defacto complainant sustained injuries. Hence, the defacto complainant lodged a complaint before the respondent police against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the defacto complainant is the brother of the first petitioner/A1, in fact the defacto complainant and his family members came to the house of the first petitioner, assaulted the third petitioner, in this regard, a complaint was lodged and it was registered in Crime No.10 of 2018 as against the defacto complainant. He further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.



4. The learned Government Advocate (Criminal Side) submitted that injured discharged from the hospital and investigation is almost completed.

5. Considering the submissions made by the learned counsel on either side, it discloses that the offence under Sections 294(b), 323, 324 and 506(i) I.P.C., has been registered against the petitioners. According to the prosecution, part of the investigation is completed and the person who sustained injury has also been discharged from the hospital after completing the treatment. Apart from that, except 506(i), the other petition mentioned offences are bailable in nature. So, custodial interrogation of the petitioners is not necessary for completing the investigation. 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 No.I, Srivilliputhur, Virudhunagar 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 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/-
23/01/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.I,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
WATRAP POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP (MD) No.560 of 2018

Date :23/01/2018

MKV-PM-PN-SAR 4/30.1.2018/3P-5C