



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

Thursday, the Eighteenth day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.820 of 2018

1 RAMAKRISHNAN

2 KANNAN @JEYARAM

... PETITIONERS / ACCUSED 1,2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

MANDAPAM POLICE STATION,

RAMANATHAPURAM DISTRICT.

(CRIME NO. 4/2018)

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.D.BALAMURUGAPANDI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences under Sections 294(b), 323, 342 and 506(i) I.P.C., in Crime No.4 of 2018, on the file of the respondent police, seek anticipatory bail.

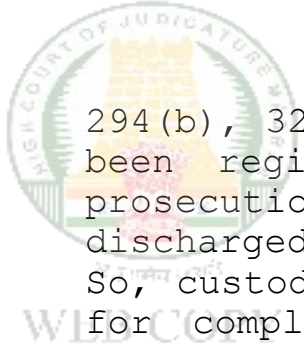
2.The case of the prosecution is that on 06.01.2018, the petitioners/accused herein assaulted the defacto complainant with hands, scolded with filthy language and made life threat to him. Due to that impact, the defacto complainant sustained injuries. Hence, he lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they are no way connected in this occurrence and they have been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Criminal side) submitted that the injured has been discharged from the hospital. According to him, investigation is not completed.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the submissions made by the learned counsel on either side, it disclose that the offences under Sections



294(b), 323, 342 and 506(i) I.P.C., in Crime No.4 of 2018 has been registered against the petitioners. According to the prosecution, the person, who sustained injuries has been discharged from the hospital after completing the treatment. So, custodial interrogation of the petitioners is not necessary for completing the investigation. Therefore, 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 District Munsif Cum Judicial Magistrate, Rameswaram, 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 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/-
18/01/2018

/ TRUE COPY /

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



msa/lis
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, RAMESWARAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURM DISTRICT.

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

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

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.899

GJM/RR/CSL/SAR-2-24.1.18-3P-6C

ORDER
IN
CRL OP(MD) No.820 of 2018
Date :18/01/2018