



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

Monday, the Twenty Second day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.946 of 2018

1 K.KANNAN

2 S. SARAVANAN

... PETITIONERS / ACCUSED 1&2

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
BAZZAR POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO. 17/2018

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.G.KASINATHA DURAI 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 :-

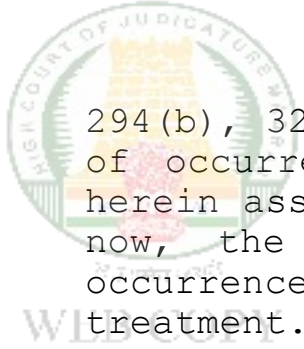
The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) IPC in Crime No.17 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners assaulted the defacto complainant and scolded him with filthy language. Hence, the present complaint is registered against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged in the prosecution and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) submitted that the injured has been discharged from the hospital.

<https://hcservices.courts.gov.in/hcservices>
5.The submissions made by the learned counsel appearing on either side are considered. This case has been registered against the petitioners for the alleged offences under Sections



294(b), 323 and 506(i) IPC. It is alleged that during the time of occurrence, due to the previous enmity, the petitioners herein assaulted and caused simple injury to the victim. As of now, the person who sustained injury during the time of occurrence was discharged from the hospital after completing treatment. Apart from that, except 506(ii) IPC, all other offences are bailable in nature. Therefore, 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, the petitioners 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 on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 10.30 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 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/-
22/01/2018

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE SUB INSPECTOR OF POLICE
BAZZAR POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.G.KASINATHA DURAI Advocate SR.No.1091

GJM/PM/PN/SAR-I-25.1.18-3P-6C

ORDER
IN
CRL OP(MD) No.946 of 2018
Date :22/01/2018