



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

Wednesday, the Fifth day of December Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21477 of 2018

1.PREMKUMAR  
2.SAKTHIVEL  
3.GANESHAN @ SELVARAJ ... PETITIONERS / ACCUSED 1 TO 3

Vs

STATE REPRESENTED BY,  
THE INSPECTOR OF POLICE  
VADAMADURAI POLICE STATION,  
VEDASANDUR TALUK  
DINDIGUL DISTRICT.  
(CRIME NO. 595 OF 2018) ... COMPLAINANT / RESPONDENT.

For Petitioners : Mr.D.BALAMURUGAPANDI Advocate  
For Respondent : Mr.M.ASHOKAN, Govt. Advocate ( Crl. Side)

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

**ORDER :** The Court Made the following order :-

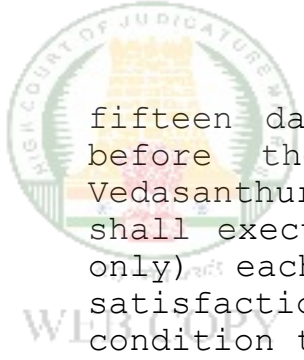
The petitioners are apprehending arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 506(i) of I.P.C. in Crime No.595 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 27.11.2018 a complaint has been filed by the defacto complainant before the respondent police stating that the petitioners have attacked the defacto complainant and made life threat to him with filthy language. Due to which the defacto complainant has sustained injuries and treated as inpatient in the hospital.

3.The learned counsel for the petitioner submitted that the petitioners have been falsely implicated in this case.

4.The learned Government Advocate submitted that the defacto complainant was discharged from the hospital.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners. 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 District Munsif cum Judicial Magistrate, Vedasanthur, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days, this order shall stand automatically cancelled without any reference to the Court.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/12/2018

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
VEDASANTHUR, DINDIGUL DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
3. THE INSPECTOR OF POLICE  
VADAMADURAI POLICE STATION,  
VEDASANDUR TALUK, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.D.BALAMURUGAPANDI Advocate SR.No.22718.

ORDER

IN

CRL OP(MD) No.21477 of 2018

Date :05/12/2018