



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

Wednesday, the Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17958 of 2017

1 LOGARAJAN
2 CHITRA @ JAYACHITRA
3 RANJITHKUMAR

... PETITIONERS/ ACCUSED NO.1 TO 3
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SOMARASAMPETTAI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.436 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.G.KARNAN, Advocate
For Respondent : M/S.K.S.DURAI PANDIAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324 and 506 (ii) IPC in Crime No.436 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the de facto complainant is the younger brother of the 1st petitioner. All the petitioners in this petition are residing at ground floor of a house and the de facto complainant is residing at upstairs of the same house. When the de- facto complainant questioned about the alteration in the said house, a wordy quarrel arose, which leads to the occurrence.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences and pleads for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submitted that investigation is not yet completed. According to him, the injured was discharged from the hospital.

5.Considering the submissions of both sides, it seems that the occurrence was happened due to the wordy quarrel arose between the ~~petitioners and the de facto complainant.~~ However, the learned Additional Public Prosecutor submitted that the person, who sustained injuries at the time of occurrence, was discharged from



the hospital after completing treatment. Hence, there is no scope for altering the Section of law in future. Apart from that, except Sections 324 and 506 (ii) IPC, the other offences mentioned in the petition are bailable in nature.

6. Taking all the above said aspects into consideration, and having regard to the nature of offence, this Court come to the conclusion that in order to complete investigation, custodial interrogation is not necessary, accordingly this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:-

(i) The petitioners are granted anticipatory bail in the event of their arrest or on their surrender before the learned Judicial Magistrate, Keeranur, Pudukkottai District.

(ii) On such arrest or surrender, the petitioners are ordered to be enlarged on bail on their executing a bond for Rs.25,000/- each with two sureties for like sum each to satisfaction of the learned Judicial Magistrate, Keeranur, Pudukkottai District.

(iii) The petitioners 1 and 2 are directed to appear before the respondent Police daily at 10.00 a.m. for a period of three weeks.

(iv) The petitioners shall make themselves available for interrogation as and when required by the Investigation Officer.

(v) 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/-
03/01/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KEERANUR, PUDUKKOTTAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.
3. THE INSPECTOR OF POLICE,
SOMARASAMPETTAI POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.KARNAN Advocate SR.No.31

ORDER IN
CRL OP(MD) No.17958 of 2017
Date : 03/01/2018