



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7592 of 2018

1 K.GOPINATH
2 K. PARTHIPAN

... PETITIONERS / ACCUSED

Vs

THE STARE REP.BY
THE INSPECTOR OF POLICE
THANGACHIMADAM POLICE STATION,
RAMNAD DISTRICT.IN CR NO. 18 OF 2018. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.SENTHILKUMAR Advocate
For Respondent : M/S.ASOKAN Govt. Advocate

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

ORDER : The Court Made the following order :-

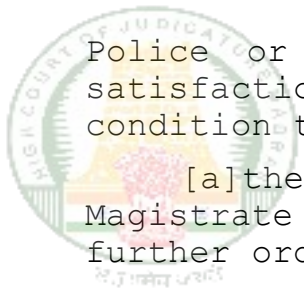
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 and 506(i) of I.P.C in Crime No.18 of 2018, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, ie.,26.04.2018, a wordy quarrel arose between the petitioners and the de-facto complainant and as a result, the petitioners are said to have abused the de-facto complainant using filthy language and attacked the de-facto complainant. Hence, the de-facto complainant sustained simple injury.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police would submit that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured has been discharged from the hospital, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Rameswaram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent



Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the concerned Judicial Magistrate weekly once (ie., on Sundays) at 10.30 a.m. until further orders.

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

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

[d] 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).

sd/-

03/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
RAMESWARAM, RAMANATHAPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
THANGACHIMADAM POLICE STATION,
RAMNAD DISTRICT.

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

+1. CC to M/S.B.SENTHILKUMAR Advocate SR.No.8166.

ORDER

IN

CRL OP(MD) No.7592 of 2018

Date :03/05/2018