



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.7527 of 2018

WEB COPY

1 M. MUTHUMURUGAN
2 M. KARTHI
3 K. KARTHIK
4 R. JEYABHARATH

... PETITIONERS / ACCUSED No. 4 to 7

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CR NO. 82 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.VEERAKUMAR Advocate
For Respondent : M/S.M.ASOKAN, Govt. Advocate

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

ORDER : The Court Made the following order :-

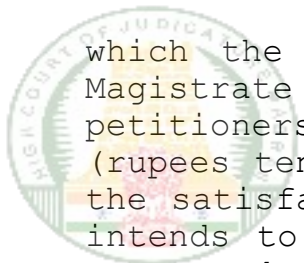
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 324 and 307 of IPC in Crime No.82 of 2018 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel between the parties, the petitioners assaulted the defacto complainant.

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

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police on instruction would submit that the second petitioner herein is involved in two previous cases in Cr.No.587 of 2009 and 172 of 2009 for an offence under the Mines and Minerals Act and that the injured has been discharged from the hospital and that the investigation is still pending.

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, and that the second petitioner is involved in two previous cases, I am inclined to grant anticipatory bail only to first, third and fourth petitioners. Accordingly, petitioners 1,3 and 4 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 No. I, Ramanathapuram on condition that the petitioners 1, 3 & 4 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 1,3 and 4 shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b] the petitioners 1,3 and 4 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 1,3 and 4 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 the petitioners 1,3 and 4 in accordance with law as if the conditions have been imposed and the the petitioners 1,3 and 4 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).

6. Anticipatory bail in respect of the second petitioner stands dismissed since, he is involved in two previous cases.

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 NO.1, RAMANATHAPURAM.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
 - 3 THE INSPECTOR OF POLICE
RAMANATHAPURAM TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.VEERAKUMAR Advocate SR.No.8201.

ORDER
IN
CRL OP(MD) No.7527 of 2018
Date :03/05/2018