



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

Thursday, the Tenth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7656 of 2018

1 V.SUBRAMANIYAN

2 S.P.ANANDAN

3 RASI @ RATHIKRISHNAN

... PETITIONERS/ACCUSED A1 to A3

Vs

THE STATE REP BY

THE SUB INSPECTOR OF POLICE

KANDAVARAYANPATTI POLICE STATION,

SIVAGANGAI DISTRICT,

(*) CRIME NO.24/2018

... RESPONDENT / COMPLAINANT

(*) AMENDED AS PER ORDER OF THIS HON'BLE COURT MADE IN

CRL MP(MD) No.3600/18 IN CRL OP(MD) No.7656/18

DATED:10.05.2018

For Petitioners : M/S.H.YOHESWARI Advocate

For Respondent : MR.K.SUYMABULINGA BHARATHI,
Government Advocate(Crl.side)

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(ii) IPC in Crime No.24 of 2018, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to land dispute the petitioners are said to have attacked the defacto complainant and scolded him in filthy language and also criminally intimidated him. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their name have been falsely implicated in this case.



4. The learned Government Advocate (Crl. side) appearing for the respondent Police on instructions would submit that the injured has already been discharged from the hospital on 02.05.2018 and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was 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, Thirupattur, Sivagangai District, on condition that each of 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 respondent police daily 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/-
10/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUPATTUR, SIVAGANGAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT



3

3 THE SUB INSPECTOR OF POLICE
KANDAVARAYANPATTI POLICE STATION,
SIVAGANGAI DISTRICT

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

WEB COPY

+1. CC to M/S.H.YOHESWARI Advocate SR.No.8335

ORDER
IN
CRL OP(MD) No.7656 of 2018
Date :10/05/2018

SMA/PN/ASVM/14.05.2018:3P/6C