



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7662 of 2018

1 HAJ MOHAMED @ HAJ ALIMSHA
2 SARINA BEGAM @ SARNA BEEVI
3 SAILA BEGAM @ SAHILA BEEVI
4 SATHAM RANI @ SATHA BEGAM
5 BADAR NISHA BANU @ BANU
6 SYED IBRAHIM

... PETITIONERS / ACCUSED 2 to 7

Vs

THE STATE REPRESENTED BY ITS
THE INSEPCTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO. 17/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.M.S.JEYAKARTHIK Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

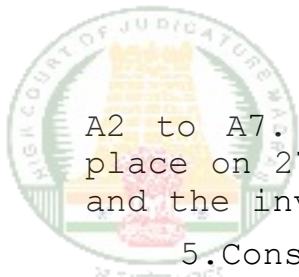
ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 294 (b), 323 of IPC and Section 4 of TNPWH Act, 2002 in Crime No.17 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, ie., on 27.04.2018, a wordy quarrel arose between the de-facto complainant and the accused. As a result, the accused abused the de-facto complainant using filthy language and attacked her and she sustained 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 [Criminal side] appearing for the respondent Police on instructions would submit that totally there are 6 accused in this case and the petitioners are arrayed as



A2 to A7. He further submitted that the alleged occurrence took place on 27.04.2018 and the injured was discharged from the hospital and the investigation is still pending.

5. Considering the facts and circumstances of the case and also taking note of the fact that the injured was discharged from the hospital, this Court is **inclined to grant anticipatory bail to the petitioners/ A2 to A7**. Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Muthukulathur, 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 respondent Police or the police officer who intend 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/-
09/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR,
RAMANATHAPURAM DISTRICT

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT



3 THE INSEPCTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.8288

sjj/rm

JAM/11/05/2018/ PMI/ASVM/ 3p-6c

ORDER

IN

CRL OP (MD) No.7662 of 2018

Date :09/05/2018