



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

Tuesday, the Twenty Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.12270 of 2018

1 SARAVANAN @ SARAVANAKUMAR

2 SETHURAMAN @ SETHUPANDIAN

3 RATHINAVELPANDI @

RATHINAVEL PANDIAN,

... PETITIONERS / ACCUSED

Vs

STATE, REP.BY

THE INSPECTOR OF POLICE

PARAMAKUDI TOWN POLICE STATION,

PARAMAKUDI,

RAMNAD DISTRICT.

CR.NO.160/2018

... RESPONDENT/ COMPLAINANT

For Petitioners : MR.M.KARTHIKEYA VENKITACHALAL Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 379 I.P.C., and Section 3 of Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992, in Crime No.160 of 2018 on the file of the respondent police, seek anticipatory bail.

2.In this case, there was a quarrel between two families and that led to the occurrence in question. The mobile shop was damaged and an old man was brutally assaulted. He was in hospital for fully one week. He has now been discharged from the hospital. It is also seen that the defacto complainant had falsely implicated all the family members of the opponent party and police have tentatively ascertained that the damage caused to the defacto complainant are worth about Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only).



3.The learned counsel appearing for the petitioners undertakes that they would jointly deposit a sum of Rs.1,50,000/- to the credit of Crime No.160 of 2018 before the concerned Jurisdictional Magistrate.

4.The respondent police is directed to inform the defacto complainant. After such deposit is made, the defacto complainant is at liberty to withdraw the said amount. The deposit by the petitioners is unconditional and the defacto complainant need not return the same amount for any reason.

5.The learned counsel appearing for the petitioners after consulting the clients, informed that the police are suspecting that one Mangalanathan was involved in this case. Even while asserting his innocence he agrees that the said Mangalanathan shall surrender before the police on 02.08.2018. It is further submitted that the first petitioner is also involved.

6.This Court grants relief in this case, only because of such undertaking has been made and directs the first petitioner to surrender before the respondent police on 02.08.2018.

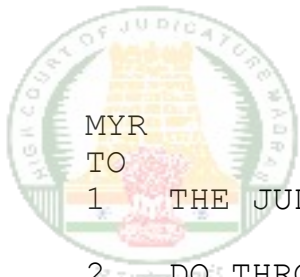
7.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 with certain conditions. Accordingly, the petitioners 2 and 3 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate Paramakudi, and executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 2 and 3 shall appear before the respondent police as and when required for interrogation. The petitioners 2 and 3 shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8.The petitioners 2 and 3 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
24/07/2018

/ TRUE COPY /

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



MYR
TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION, PARAMAKUDI,
RAMNAD DISTRICT.

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

+1. CC to M/S.M.KARTHIKEYA VENKITACHALAL Advocate SR.No.13837

GJM/CSL/SAR-I-31.7.18-2P-6C

ORDER

IN

CRL OP (MD) No.12270 of 2018

Date :24/07/2018