



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

Monday, the Tenth day of September Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14770 of 2018

1 R.RATHINAVELU
2 R.DHANASEKARAN
3 V.GOWSALYA

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MANDABAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CR NO.84 OF 2018)

... RESPONDENT / COMPLAINANT

GANAPATHY

... PETITIONER/INTERVENER

As per the order dated 10.09.2018
in Crl.MP(MD).No.6821 of 2018 in Crl.OP(MD).No.14770 of 2018

For Petitioner : M/S.C.MUTHUSARAVANAN Advocate

For Respondent : MR.M.ASOKAN, Govt. Advocate (Crl. Side)

For Intervener : Mr.G.VISHNURAM, Advocate

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

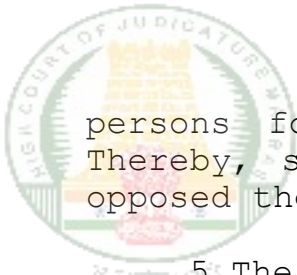
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 294(b), 324, 506(ii) I.P.C and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.84 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner performed the ear-boring function of his son. The petitioners are relatives to the defacto complainant. During the time of ear-boring function, there was a wordy quarrel arose between them, with regard to presentation to the ear-boring function. At that time, the petitioners had abused the defacto complainant with filthy language and assaulted him. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioners.

4.The learned counsel for the intervener would submit that the defacto complainant's wife was brutally attacked by the accused



persons for the reason that she did not repay the cash gift. Thereby, she was sustained serious injuries. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the third petitioner was arrested and remanded to judicial custody. He further submitted that the injured has been discharged from the hospital.

6. It is submitted that the third petitioner was arrested and remanded to judicial custody. Hence, the prayer sought for in the criminal original petition has become infructuous. The learned counsel for the petitioners has also made an endorsement to that effect. Accordingly, this criminal original petitioner is dismissed as infructuous as far as the third petitioner is concerned.

7. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners 1 and 2 with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Rameshwaram, Ramanathapuram District and on their executing 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 learned Magistrate concerned and on further condition that the petitioners 1 and 2 shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioners 1 and 2 shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioners 1 and 2 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/-
10/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
REMESHWARAM, RAMANATHAPURAM DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE INSPECTOR OF POLICE,
MANDABAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.C.MUTHUSARAVANAN Advocate SR.No. 17236

ORDER
IN
CRL OP(MD) No.14770 of 2018
Date :10/09/2018

JM/VR MMS/SAR 1/12.09.2018/3P/6C