



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

Wednesday, the Fourteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.20175 of 2018

1 A.KANDHASAMY
2 KARTHIKEYAN

... PETITIONERS/ ACCUSED No. 1 and 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT
IN CR.NO.729 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioners : MR.R.SHANKAR GANESH Advocate

For Respondent : MR.K.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 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 506(i) of IPC in Cr.No.729 of 2018 seek anticipatory bail.

2. The case of the prosecution is that when the petitioners parked their vehicle in the defacto complainant's property, the defacto complainant questioned the same. At that time the petitioners abused the defacto complainant and her husband in filthy language.

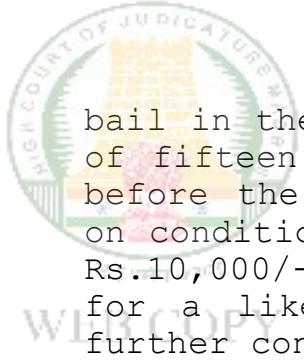
3. The learned counsel for the petitioners would submit that a false case has been foisted against them and they had nothing to do with the alleged offences.

4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant is none other than the sister of the first petitioner.

5. Taking into consideration the facts of the case, this Court inclined to grant anticipatory bail to the petitioners.

<https://hcservices.ecourts.gov.in/hcservices/>

6. Accordingly, the petitioners are ordered to be released on



bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Natham, Dindigul District, 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police as and when required for interrogation

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
14/11/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
NATHAM, DINDIGUL DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL

3 THE INSPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT

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

+1. CC to MR.R.SHANKAR GANESH Advocate SR.No.21542

ORDER
IN
CRL OP(MD) No.20175 of 2018
Date :14/11/2018