



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

Friday, the Twenty Third day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20326 of 2018

1 PATHMANABAN
2 PUSHPAVALLI
3 SATHEESHKUMAR

... PETITIONERS / ACCUSED 1 TO 3

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT.
(CRIME.NO.601/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.RAVI Advocate

For Respondent : Mr.PUBLIC PROSECUTOR

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 Sections 294(b), 324 and 506(ii) IPC in Crime No.601 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are all family members. The first petitioner had some transaction with one Maruthamuthu who is the defacto complainant's father. There seems to be some dispute with regard to return the money, due to which, a wordy quarrel entered between both the groups and assaulted the defacto complainant with hands. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged occurrence. He further submitted that the first petitioner has preferred a complaint which has been registered in Crime No.602 of 2018, since it is a counter case.

4.The learned Government Advocate (Crl.side) for the respondent police submitted that the injured has been discharged from the hospital on 03.11.2018.



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

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, Palani, 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]**.

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

sd/-

23/11/2018

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

TO

1. THE JUDICIAL MAGISTRATE,
PALANI.
<https://hcservices.ecourts.gov.in/hcservices/>



2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to Mr.S.RAVI Advocate SR.No.21995

PS/JC/SAR-4/28/11/2018/3P/6C

ORDER

IN

CRL OP(MD) No.20326 of 2018

Date :23/11/2018