



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.20362 of 2018

1 CHINNADURAI
2 PETCHIAMMAL
3 SUBBIAH
4 THANGALAKSHMI

... PETITIONERS/ACCUSED Nos.3 to 6

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY.
IN CR NO. 379 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : MR.M.NALLAMUTHU, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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 147, 341, 294(b), 324, 307, 506(ii) IPC in Crime No.379 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are close relative. Due to some family dispute, wordy quarrel between them and the petitioners said to have attacked the defacto complainant. Hence, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do _the same as alleged by the defacto complainant.

<https://hcservices.ecourts.gov.in/hcservices/>
4.The learned Additional Public Prosecutor for the respondent police submitted that the injured has been discharged from the hospital.



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 No.IV, Tirunelveli, 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 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 NO.IV,

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY.

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

+1. CC to MR.M.NALLAMUTHU, Advocate SR.No.21622

ORDER

IN

CRL OP (MD) No.20362 of 2018

Date :14/11/2018

RMK

PK/RR/SAR-4/19.11.2018 : 3P/6C