



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

Monday, the Twenty First day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.703 of 2019

1 R.GEETHA
2 J.MEENA
3 M.KUMAARI

... PETITIONER / ACCUSED NOS.2 TO 4

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
GUDALUR SOUTH POLICE STATION, THENI
DISTRICT
(CRIME NO.5/2019) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SUNDARA PANDIAN Advocate

For Respondent : 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 apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 355,324, 506(ii) of IPC @ 294(b), 355,324, 307 of IPC, in Crime No.5 of 2019, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, the first petitioner herein on the instigation of other petitioners have assaulted the defacto complainant with aruval.

3.The learned counsel for the petitioners would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the injured was discharged from the hospital.

5.Taking note of the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the



petitioners, with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Uthamapalayam 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 concerned and 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]**. and

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

sd/-
21/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.



2 THE SUB INSPECTOR OF POLICE
GUDALUR SOUTH POLICE STATION, THENI DISTRICT

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

+1. CC to M/S.S.SUNDARA PANDIAN Advocate SR.No.938

ORDER
IN
CRL OP (MD) No.703 of 2019
Date :21/01/2019

TR/VR/SAR-1 (23.01.2019) 3P 5C