

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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

**The Hon`ble Mr Justice B.PUGALENDHI**

CRL OP(MD) No.7110 of 2019

1 SOKKAR  
2 SANTHANAM @ SANTHANAPANDI  
3 SENKOTTAI @ SENKUTTUWAN ... PETITIONERS / ACCUSED  
No.2,3,4

Vs

STATE THROUGH  
THE SUB-INSPECTOR OF POLICE  
BATLAGUNDU POLICE STATION,  
DINDIGUL DISTRICT,  
Crime No.175 of 2019 ... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S. MUNIYANDI Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate ( Crl. Side)

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

**ORDER :** The Court Made the following order :-

The petitioners/ Accused Nos. 2 to 4 who apprehend arrest at the hands of the respondent Police, in connection with Crime No.175 of 2019, for the offence punishable under Sections 341 and 324 IPC, seek anticipatory bail.

2.Heard Mr.S.Muniyandi, learned Counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl.Side) appearing for the State.

3.The case of the prosecution is that on 06.05.2019, when the defacto complainant while proceeded to his house, the petitioners along with other accused, waylaid him and attacked him by using their hands and stick. Hence, the complaint.

4.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and according to him, the victim has also been discharged from the hospital.

5.The learned Government Advocate (Crl. Side), on instructions from the respondent Police confirmed that the victim has been discharged from the hospital.

6.Considering the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy was made ready before the learned Judicial Magistrate, Nilakottai, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, for a like sum to the satisfaction of the respondent Police and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-  
16/05/2019

/ TRUE COPY /

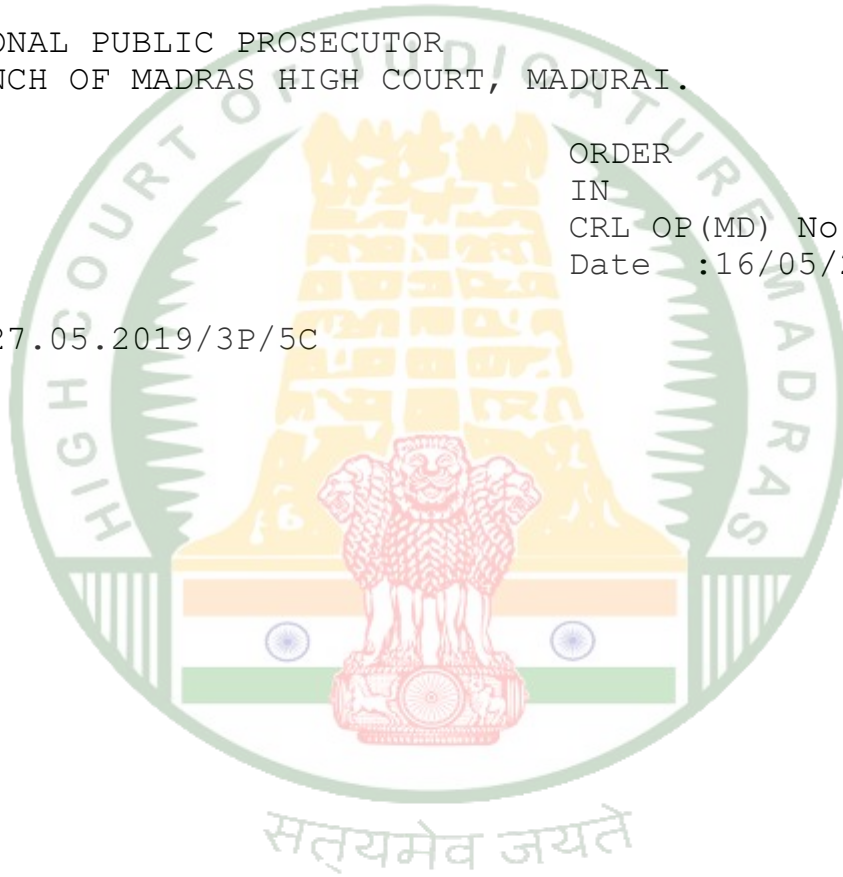
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,  
NILAKOTTAI.
2. THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL DISTRICT.
3. THE SUB-INSPECTOR OF POLICE  
BATLAGUNDU POLICE STATION,  
DINDIGUL DISTRICT,
4. THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP (MD) No.7110 of 2019  
Date :16/05/2019

TK/VR/SAR-1/27.05.2019/3P/5C



WEB COPY