



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

WEB COPY

PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.7181 of 2019

1 AMEENAL

2 FATHU MUTHU ... PETITIONERS / ACCUSED Nos. 1 & 3

Vs

THE STAT REP.BY

THE INSPECTOR OF POLICE,
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

IN CRIME NO.24/2019 ... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.D.S.HAROON RASHEED 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.1 and 3, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of TNPWH Act in Crime No.24 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Heard Mr.D.S.Haroon Rasheed, 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 while taking water from the public pipe line in the street, a wordy quarrel arose between the petitioners and the defacto complainant. On account of which, the case has been registered.

4.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to these petitioners.



5.The learned Government Advocate (Crl Side) appearing for the respondent on instructions submitted that no one sustained injured in the quarrel.

6.Taking into consideration of the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl Side), 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 on executing a bond in the event of arrest or on their appearance, for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of learned Judicial Magistrate, Muthugulathur, Ramanathapuram District 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 as and when required.

[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/-

15/05/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
MUTHUGULATHUR, RAMANATHAPURAM DISTRICT

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

2 -DO-THRO- THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3 THE INSPECTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.D.S.HAROON RASHEED Advocate SR.No.8628

ORDER

IN

CRL OP (MD) No.7181 of 2019

Date :15/05/2019

ES/PN/SAR 3/20.05.2019/3P/6C