



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 07/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7830 of 2019

1. Maruthumunis
2. Ramki
3. Vinoth
4. Elavarasan

... Petitioners/Accused No.2,4,5 and 8

Vs

State rep.by,
The Inspector of Police,
Rameswaram City Police Station,
Ramnad District.
Crime No.101 of 2019.

... Respondent/Complainant

For Petitioner : M/s.C.Susi Kumar, Advocate

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side)

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

PRAYER :-

For anticipatory bail in cr.no.101 of 2019 on the file of the respondent police.

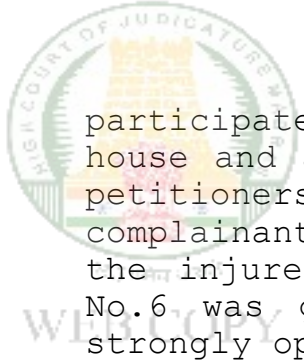
ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under 147, 148, 341, 342, 294(b), 324 and 307 of IPC, in Crime No.101 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that already this Court has granted anticipatory bail to Accused No.6 and the injured was already discharged from the hospital and therefore, he prayed for grant of anticipatory bail to the petitioners.

5.Per contra, the learned Government Advocate appearing for the respondent has submitted that the petitioners said to have



participated in the ear boring ceremony in the defacto complainant's house and at that time since the sufficient meat not provided, the petitioners and other accused persons assaulted the defacto complainant and caused injuries. However, she fairly conceded that the injured was already discharged from the hospital and Accused No.6 was granted anticipatory bail by this Court. However, she strongly opposed this petition.

6. Taking into consideration of the aforesaid facts, this Court is inclined to grant bail to the petitioners by imposing conditions.

7. 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, Rameswaram, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
07/06/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE,
RAMESWARAM, RAMANATHAPURAM DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE
RAMESWARAM CITY POLICE STATION, RAMNAD DISTRICT

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

+1. CC to M/S.C.SUSI KUMAR Advocate SR.No.9257

ORDER
IN
CRL OP (MD) No.7830 of 2019
Date :07/06/2019

LS

PK/VR/SAR-3/13.06.2019 : 3P/6C