



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/08/2019

WEB COPY

PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

CRL OP(MD). No.11169 of 2019

1.Imman Southali Sathik  
2.Abdul Salam  
3.Mohammed Kasim  
4.Banu

... Petitioners/Accused  
No. 1 to 4

Vs

The State rep.by  
The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.  
Crime No.151 of 2019

... Respondent/Complainant

For Petitioners : M/s.M.Jegadeesh Pandian,  
Advocate.

For Respondent : Mr.V.Neelakandan,  
Additional Public Prosecutor

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

PRAYER :-

for Anticipatory Bail in Crime No.151 of 2019 on the file of  
the Respondent Police

**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 342,  
294(b), 323, 355, 560(i) IPC and Section 4 of Women Harassment Act  
seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that due to property dispute,  
the petitioners abused the defacto complainant and attacked her with  
hands. Hence, the complaint.



4.The learned counsel appearing for the petitioners has submitted that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

5.The learned Additional Public Prosecutor appearing for the defacto complainant sustained simple injury and she has already been discharged from the hospital.

6.Taking into consideration of the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, Madurai on condition that the petitioners shall execute a 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 or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] 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 for the 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
08/08/2019

/ TRUE COPY /

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



TO

1.THE JUDICIAL MAGISTRATE,  
MELUR, MADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,  
MELAVALAVU POLICE STATION,  
MADURAI DISTRICT.

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

+1. CC to Mr.M.JEGADEESH PANDIAN Advocate SR.No.13370

ORDER

IN

CRL OP(MD) No.11169 of 2019

Date :08/08/2019

gns

TK/VR/SAR.4/19.08.2019/3P/6C