

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.11726 of 2019

1. Kumar @ Rajkumar
2. Suresh @ Sureshkumar
3. Chinnaponnu Petitioners/Accused Rank A1 to A3

Vs

The State Rep. by
The Inspector of Police,
Manapparai Police Station, Trichy District.
(Crime No.274 of 2019). ... Respondent/Complainant

For Petitioners : M/s. K. Kevinkaran,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory Bail in Crime No.274 of 2019 on the file of
the Respondent Police

ORDER : The Court Made the following order :-

Heard the learned counsel appearing for the petitioners and
the learned Government Advocate (Crl.side) appearing for the
respondent.

2.The petitioners apprehending arrest at the hands of the
respondent for the offences under Sections 294(b), 323, 324 and 506
(ii) of IPC r/w Section 4 of TNPWH Act in Crime No.274 of 2019, seek
anticipatory bail.

3.I went through the contents of the FIR. It is seen that
the petitioners 1 and 2 herein attacked the victim with cycle pump,
wooden log and aruval. The victim is said to be in coma stage. She
is seeking treatment in Neuro One hospital and is still in ICU.

4. Therefore, taking note of the overtact attributed to the petitioners 1 and 2, I am not inclined to grant anticipatory bail to them. However, the third petitioner is the mother of the petitioners 1 and 2, I am inclined to grant anticipatory bail to her. Accordingly, the third petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Manapparai, Trichy District and on her executing 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 learned Magistrate concerned and on further condition that the third petitioner shall appear before the respondent police as and when required for interrogation. The third petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

5. The third petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

6. This criminal original petition is allowed as far as A3 is concerned and dismissed as far as A1 and A2 are concerned.

sd/-
04/09/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MANAPPARAI,
TRICHY DISTRICT.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION, TRICHY DISTRICT.
- 4 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11726 of 2019
Date : 04/09/2019