

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, MADURAI.**

**PRESENT: THIRU. M.THANDAVAN, B.L.,**

**(I Additional District & Sessions Judge, Madurai)**

**PRINCIPAL SESSIONS JUDGE (i/c.) MADURAI.**

**(AUTHORISED U/S.10(3) OF CR.P.C.)**

**Thursday, this the 18 th day of June -2020.**

**CrI.M.P.No.2979/2020**

1.Nagammal, W/o.Mokkaipandi

2.**Rathakani @ Revathi \***, D/o.Mokkapandi ... Petitioners/Accused.

**\*Amended as per Order in Crmp No.271/2021 dated 18.01.2021.**

**Vs**

State through the Inspector of Police,

Usilampatti Taluk, P.S. Cr.No.631/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/  
e.petition and after hearing the arguments of Thiru.A.Sarankumar, Advocate for  
the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state  
over conference call, this court passed the following

**Order**

1. Anticipatory Bail application u/s. 438 of Cr.p.c.

2. The offences alleged are U/s. 294(b), 323, 324 and 506(ii) of IPC. r/w.

Sec. 4 of TNPWH Act.

3. Heard.

4. The case of the petitioners is that the date of occurrence was on

12.6.2020, due to land dispute false case foisted against the petitioner, the

petitioners are arrayed as A2 and A3, the injured discharged from the hospital.

The petitioners are ready to abide by any condition imposed by this court.

5. The Public Prosecutor submitted that totally 3 accused in this case, the AI is having overtact, he was arrested and released on bail, the injured was taken treatment as out patient and he placed his objection.6. A careful perusal of the records indicates that the injured has been discharged from the hospital. Except 506(ii) IPC, all other offences are bailable in nature, it is held that the petitioners are entitled to be released on anticipatory bail. Hence petition allowed.

7. In the result, in the event of arrest or on their surrender before the Court concerned, the Petitioners are ordered to be enlarged on anticipatory bail on their executing own bond each for a sum of Rs.10,000/- to the satisfaction of the Judicial Magistrate concerned subject to the following conditions:-

(i) After a period of 6 weeks, the petitioners should surrender before the Judicial Magistrate concerned and execute a fresh bond for Rs.10,000/- with two sureties for likesum each to the satisfaction of Judicial Magistrate concerned. Thereafter, the petitioners shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders.

(ii) The petitioners shall not tamper with the witness or in any manner interfering with or put obstacle to the smooth progress of interrogation.

(iii) If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail order though bail granted by the Sessions

Court, as per ruling of the Hon'ble Supreme Court reported in P.K. Shaji /Vs./State of Kerala (2005) AIR SC W 5560. Accordingly, the petition is allowed.

Pronounced by me in Camp Court on the 18 th day of June -2020.

Sd/-M.Thandavan,  
Principal Sessions Judge (i/c.),Madurai.

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police,Usilampatti Taluk,P.S.
3. The Petitioner through his counsel.