



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

Tuesday, the Thirtieth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12003 of 2015

1 KATHADI @ KANDASAMY

2 PETER

3 MARI

4 PALANI

... PETITIONER(S) / ACCUSED 1 to 4

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALWAR THIRUNAGARI POLICE STATION,
THOOTHUKUDI DT, CRIME NO.130/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.RAJKUMAR Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

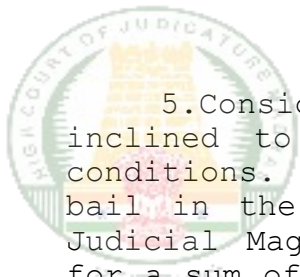
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-1 to A-4 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 506(i), 365, 392(NP) of I.P.C in Crime No.130 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 20.06.2015, the accused kidnapped the defacto complainant and by force, they had taken away Rs.5,000/- from him.

3.The learned counsel for the petitioners submitted that the first petitioner has leased out Tata Sumo vehicle to the defacto complainant and without his permission and knowledge, he mortgaged the vehicle to some other person, for which a case was registered against the defacto complainant in Crime No.159 of 2015 on 29.05.2015 and as a counterblast, a false complaint has been given against the petitioners. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate(Crl. Side) on instructions submitted that the victim is secured and the cash of Rs.5,000/- is not recovered and the petitioners have no bad antecedents.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Srivaikundam, and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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 stands dismissed.

sd/-
30/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
ALWAR THIRUNAGARI POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.P.RAJKUMAR Advocate SR.No. 35242

TS/02.07.2015/2P -6C

ORDER
IN
CRL OP(MD) No.12003 of 2015
Date :30/06/2015