



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1440 of 2015

1 VANI
2 ELAMARAN
3 BALA
4 KANI
5 BOOMINATHAN
6 KUMAR
7 ARJUNAN

... PETITIONERS/ACCUSED NOS.1 TO 7

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
MUTHUKULATHUR POLICE STATION, RAMNAD DISTRICT,
CRIME NO.14/2015 ... RESPONDENT / COMPLAINANT

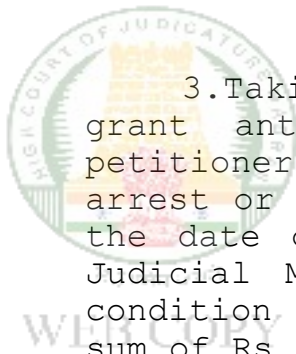
For Petitioner : M/S.S.KARTHICK Advocate
For Respondent : M/S.A.P.BALSUBRAMANIAN
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 341, 147, 323, 355, 366, 387 and 506(i) IPC in Crime No.14 of 2015 on the file of the respondent police, seek anticipatory bail.

2.It is seen that the incident had taken place way back on 13.08.2013 and the FIR came to be registered on 25.01.2015 based on the direction of the Court. According to the de facto complainant, these petitioners had abducted him and taken away his Mobile Phone and a sum of Rs.5,000/-. The de facto complainant is said to be a distant relative of the petitioners. These petitioners had earlier ought the de facto complainant, when he attempted to steal some money from a patient who was admitted in a Private Hospital in Karaikudi, in which hospital, the 1st petitioner's mother was also an inpatient. On account of this previous motive, the present prosecution has been launched by the de facto complainant.



3. Taking into consideration of the above, I am inclined to grant anticipatory bail to the petitioners. 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 cum District Munsif Court, Muthukulathur, on condition that each of 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] The petitioners shall report before the respondent police as and when required for interrogation;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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]**.

sd/-

29/01/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF COURT
MUTHUKULATHUR

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

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

4. THE INSPECTOR OF POLICE
MUTHUKULATHUR POLICE STATION, RAMNAD DISTRICT

+1. CC to M/S.S.KARTHICK Advocate SR.No.4226
RL/6 C- 2/2/2015

ORDER

IN

CRL OP(MD) No.1440 of 2015

Date : 29/01/2015