



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

Monday, the Ninth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.1610 of 2015

1 SAKTHIVEL
2 ANUSYADEVI

... PETITIONERS/ACCUSED NOS.1 & 2

Vs

THE SUB INSPECTOR OF POLICE
PALAVIDUTHI POLICE STATION, KARUR DISTRICT.
CRIME NO.157/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 the alleged offences punishable under Section 379 I.P.C. in Crime No. 157 of 2014 on the file of the respondent police, seek anticipatory bail.

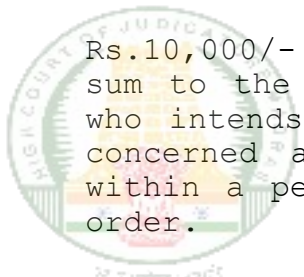
2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. The case of the prosecution is that the petitioners cut the trees worth about Rs.70,000/- in the Government land and based on the complaint of the Village Administrative Officer, this case has been registered.

4. The learned Counsel for the petitioners has filed an affidavit sworn out by the petitioners that they are willing to pay a sum of Rs.35,000/-(Rupees Thirty Five Thousand only) being the half of the amount towards the value of the trees without prejudice to their defence in their criminal case with the concerned panchayat.

5. Recording the submission made by the learned Counsel for the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail on condition that the petitioners shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) before the Sembianatham Panchayat, Kadavur Taluk, Karur District and produce the proof of making such payment before the learned Judicial Magistrate No.I, Kulithalai and on receipt of the same, the petitioners are entitled to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Kulithalai 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that: The bond shall be executed within a period of 2 weeks from the date of receipt of a copy of this order.

[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 Judicial 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 Judicial 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/-
09/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE NO.I, KULITHALAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR.
3. THE SUB INSPECTOR OF POLICE
PALAVIDUTHI POLICE STATION, KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ALAGUMANI Advocate SR.No. 6359

SR : 12.02.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.1610 of 2015
Date :09/02/2015