



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

Monday, the Seventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16965 of 2015

1 PALANI KUMAR

2 ALEX PANDIAN

..PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP.BY THE INSPECOTR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.420 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S K.R.LAXMAN Advocate

For Respondent : M/s.S.PRABHA, Government 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 accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 427 and 506(ii) of the Indian Penal Code in Crime No.420 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

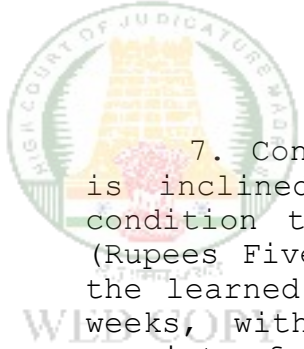
2. According to the defacto complainant that on 27.08.2015 at 10.40 p.m., the accused have entered into the club and damaged articles worth about Rs.15,000/- and also threatened the defacto complainant with dire consequences.

3. The learned counsel for the petitioners submitted that as per the liquor vending Rules, the defacto complainant could sell liquor upto 10'o clock and the defacto complainant was found, running the shop till 12'o clock, which was questioned by the accused and therefore, they have been falsely implicated in this case.

4. The learned counsel for the petitioner further submitted that the first petitioner is the ward Councillor of the same Town and the second petitioner is the friend of the first petitioner and both have been falsely roped into the criminal case.

5. The learned Government Advocate (Criminal Side) submitted that the second petitioner is history-sheeter in No.1 of 2015 and in four cases he was acquitted and still, he is facing two cases.

6. The learned counsel for the petitioner seeks permission of this Court to withdraw this petition for the second petitioner, when this Court is inclined to grant anticipatory bail to the second petitioner. Hence, this Criminal Original Petition is dismissed in respect of the second petitioner.



7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the first petitioner, on condition that the first petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.420 of 2015 before the learned Judicial Magistrate No.1, Usilampatti within a period of two weeks, without prejudice to his rights in the criminal case and on receipt of the same the first petitioner is entitled to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.1, Usilampatti and on 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 first petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The first petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. The first 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 stands dismissed.

sd/-

07/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI, MADURAI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECOTR OF POLICE, USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S K.R.LAXMAN Advocate SR.No.52233

ORDER IN

CRL OP(MD) No.16965 of 2015

Date :07/09/2015

PBK/GSV-PM 09/09/2015 ::2P-6C::