



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

Tuesday, the Tenth day of February Two Thousand Fifteen

PRESENT

**The Hon`ble Mr Justice P.N.PRAKASH**

WEB COPY

CRL OP (MD) No.1984 of 2015

1 SUBBAIAH  
2 SELVAKUMAR  
3 SIMION  
4 PERIYA PERUMAL @ PERUMAL  
5 MARIYA SUNDARI  
6 KADARKARAI  
7 RAMASAMY  
8 GANESAN  
9 RENGASAMY  
10 PITCHAIKANI  
11 NATESAN

... PETITIONERS/ACCUSED NOS.1 TO 11

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE  
VASUDEVANALLUR POLICE STATION,  
VASUDEVANALLUR, TIRUNELVELI DISTRICT.  
(CRIME NO.31 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,  
Govt. Advocate ( Crl. Side)

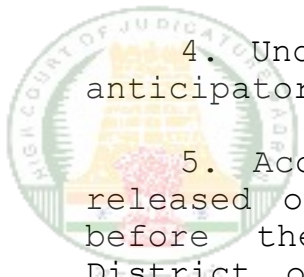
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.31 of 2015, on the file of the respondent police for offence under Sections 406 and 420 IPC, the petitioners/A1 to A11 are now before this Court seeking Anticipatory Bail.

2. It is the case of the defacto complainant that the petitioners 1 to 3/A1 to A3 are the office bearers of Devendra Educational Trust and the petitioners 4 to 11 are the supporters of the petitioners 1 to 3. It is alleged by the defacto complainant that all these petitioners are not properly administering the trust and are not maintaining the proper accounts.

3. On a reading of the complaint, it appears that the allegations are that the trust has purchased some property, but these petitioners are not giving proper accounts when demanded. The dispute essentially is between two rival factions for controlling the affairs of the trust.



4. Under such circumstances, this Court is inclined to grant anticipatory bail to them, but with certain conditions.

5. Accordingly, the petitioners/A1 to A11 are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivagiri, Tirunelveli District on executing a separate 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/A1 to A3 shall report before the respondent police daily at 10.30 a.m. for a period of two weeks without fail and thereafter as and when required for interrogation.

(b) The petitioners 4 to 11/A4 to A11 shall report before the respondent police as and when required for interrogation.

[c] the petitioners/A1 to A11 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners/A1 to A11 shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners/A1 to A11 in accordance with law as if the conditions have been imposed and the petitioners/A1 to A11 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/-

10/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TIRUNELVELI DISTRICT

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE VASUDEVANALLUR POLICE STATION,  
VASUDEVANALLUR, TIRUNELVELI DISTRICT.

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

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.6174

ORDER

IN

CRL OP(MD) No.1984 of 2015

Date :10/02/2015