



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.2195 of 2015

1 RAMAMOORTHY

2 JAYALAKSHMI

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE  
VEMBAKOTTAI POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
CR. NO.414/2011.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.P. RAJAN Advocate

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

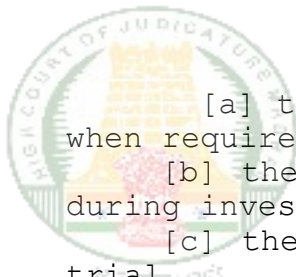
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 Sections 294(b) and 506 (ii) of Indian Penal Code in Crime No.414 of 2011 on the file of the respondent police, seek anticipatory bail.

2. This case was registered on 18.09.2011 for the offences punishable under Sections 294(b), 323, 506(ii) of Indian Penal Code r/w Section 3(1) (x) of SC/ST (Prevention of Atrocities) Act. Investigation was conducted by the Deputy Superintendent of Police and a closure report was filed as a mistake of fact. On the protest application filed by the *defacto* complainant, the learned Magistrate found that there are *prima facie* materials for implicating the petitioners for the offences punishable under Sections 294(b), 323 and 506(ii) of Indian Penal Code. Hence, the petitioners are apprehending arrest for the above said offences.

3. Taking into consideration the fact that this case is of the year 2011, 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 No.II, Sattur, on condition that the petitioners shall execute 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 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/-  
09/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, SATTUR.
- 2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE  
VEMBAKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.V.P. RAJAN Advocate SR.No.5820.

TS/11.02.2015/2P-6C

ORDER  
IN  
CRL OP(MD) No.2195 of 2015  
Date :09/02/2015