



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24246 of 2015

1 R. MUTHUMARIAPPAN

2 R. VIJAI

... PETITIONER / ACCUSED No. 2 & 3

Vs

State rep.by
THE INSPECTOR OF POLICE
CENTRAL POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT,
CR NO.427 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.S.VAIGUNTH Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

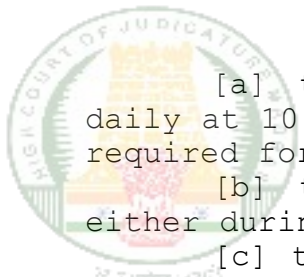
The petitioners/A2 & A3, who apprehend arrest at the hands of the respondent police for alleged offence punishable under Sections 147, 148, 365, 294(b), 323, 324, 387, 467, 506(ii) and 120(b) altered into 147, 148, 365, 294(b), 323, 324, 387, 467, 506(ii), 120(b), 384 and 364(A) of IPC, in Crime No.427 of 2015, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is a goldsmith and on 02.09.2015, one Karthik Pandi contacted the de-facto complainant and demanded Rs.25 lakhs as ransom.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and the petitioners are the brothers of the de-facto complainant and the co-accused have been granted anticipatory bail by this Court.

4. It is represented by the learned Government Advocate (Crl.Side) that the petitioners have not complied with the condition imposed by this Court, dated 28.10.2015, in Crl.O.P.(MD) No.20599 of 2015.

5.Considering the fact that this Court already granted anticipatory bail to the petitioners in Crl.O.P.(MD)o.20599 of 2015, dated 28.10.2015, 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, Thoothukudi on condition that 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 intended 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 daily at 10.30 a.m., for a period of two weeks and thereafter 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Additional Public Prosecutor as to whether the petitioners are complying with the order or not.

7. The petitioners 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/-

21/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI

2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE
CENTRAL POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT

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

+1. CC to M/S A.S.VAIGUNTH Advocate SR.No.75746

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ORDER

IN

CRL OP(MD) No.24246 of 2015

Date :21/12/2015