



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

Wednesday, the Eighteenth day of February Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2903 of 2015

1 RAJASUBRAMANI

2 TAMILARASI

... PETITIONERS / ACCUSED NOS.1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

OTTANCHATHIRAM POLICE STATION,

OTTANCHATHIRAM, DINDIGUL DISTRICT,

CRIME NO.359 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.NALLATHAMBI Advocate

For Respondent : M/S.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 Sections 294(b), 379, 448, 454 and 506(ii) of Indian Penal Code in Crime No.359 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is seen that this case has been registered pursuant to the direction issued under Section 156(3) of Cr.P.C., by the learned Jurisdictional Magistrate.

3. On a reading of the complaint, it is seen that the allegations levelled against the petitioners are not very serious.

4. It is represented by the learned Government Advocate (Criminal Side) that the *defacto* complainant and the first petitioner are own brothers and there is no previous case against these petitioners.

5. Under such circumstances, 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, Ottanchathiram, 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/-
18/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, OTTANCHATHIRAM, DINDIGUL DISTRICT.

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

3 THE INSPECTOR OF POLICE, OTTANCHATHIRAM POLICE STATION,
OTTANCHATHIRAM, DINDIGUL DISTRICT.

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

+1. CC to M/S.D.NALLATHAMBI, Advocate SR.No.7736.