

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

Monday, the Twenty Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3217 of 2015

WEB COPY

1 ESAKKITHEVAR
2 UCHIMAHALI
3 SHANMUGAVEL
4 AYYAPPAN, S/O.SIVAGNANAM
5 AYYAPPAN, S/O.MUTHURAJ
6 SHANMUGAM
7 MUTHUKUMAR

... PETITIONERS/ACCUSED
RANK 1 TO 5 & 7, 8

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CR.NO.33 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA 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 :-

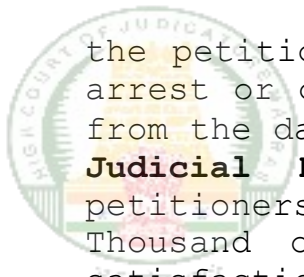
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b) and 506(ii) IPC and Section 3 of TNPPDL Act, in Crime No.33 of 2015 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submits that there is a dispute between the petitioners and the defacto complainant with regard to the temple festival. It is further submitted that both are relatives and there is no previous case against these petitioners.

5. Having regard to the facts and circumstances of the case and that there is no previous case against these petitioners, 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 (15) days** from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.V, Tirunelveli** on condition that the petitioners 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 officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall stay at Tiruchendur and report before Tiruchendure Police Station daily twice at 10.30 a.m. and 6.30 p.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]**.

sd/-

23/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.V, TIRUNELVELI

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

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

4 THE INSPECTOR OF POLICE TIRUCHENDURE POLICE STATION,
TIRUCHENDURE

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

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No.8446

ORDER

IN

CRL OP(MD) No.3217 of 2015

Date :23/02/2015