



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

Thursday, the Fifth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3251 of 2015

1 DINESH
2 SATHIAMURTHY

... PETITIONERS/ACCUSED 1 & 2

Vs

THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, R.S. MANGALAM,
RAMANATHAPURAM DISTRICT.
CRIME NO.194/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.RADHAKRISHNAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

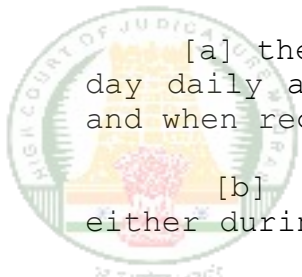
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341 and 363 IPC in Crime No.194 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the prosecution is that these petitioners had abducted the husband of the defacto complainant on 28.12.2014, based on which, the aforesaid case has been registered against unknown persons. Thereafter, the defacto complainant's husband appeared and stated that he is a Srilankan National and that he was actively involved in smuggling gold between Srilanka and India. In regard to that, there was a dispute between him and the petitioners and the petitioners had taken him in their car.

4. Taking into consideration the overall facts and circumstances of the case, this Court is of the opinion that this is a fit case to grant anticipatory bail to these 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, Tiruvadanai, Ramanathapuram District, on condition that each of the petitioner 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 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 twice a day daily at 10:30a.m. and 06:30 p.m. for four 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/-
05/03/2015

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

TO

1. THE JUDICIAL MAGISTRATE,
TIRUVADANAI, RAMANATHAPURAM DISTRICT.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, R.S. MANGALAM,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.RADHAKRISHNAN Advocate SR.No. 10925

SR : 09.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.3251 of 2015
Date :05/03/2015