



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP (MD) No.3274 of 2015

1 PATCHAMAL
2 JEYARAJ
3 JEYARAMAN
4 MUTHUVEL
5 BASKAR

... PETITIONERS/ ACCUSED 1 to 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MEGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.32/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER 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 :-

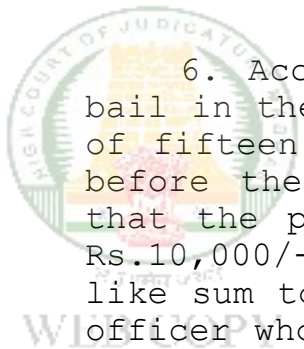
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 506(ii) IPC and Section 3 of TNPPDL Act in Crime No.32 of 2015 on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3. It is represented by the learned Government Advocate (Criminal Side) that this is the case and counter and counter case has been registered in Crime No.33 of 2015. It is also represented that no one sustained injury in the alleged occurrence and there is no previous case against these petitioners.

4. It is alleged that these petitioners had damaged the shed belonging to the *defacto* complainant and the damage is estimated to Rs.8,000/- (Rupees Eight Thousand only).

5. Under such circumstances, since no one is injured and there is no previous case against these petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



6. 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, Sattankulam, 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 deposit a sum of Rs.8,000/- (Rupees Eight Thousand only) to the credit of Crime No.32 of 2015, before the learned Judicial Magistrate, Sattankulam, who shall invest the amount in a fixed deposit account with accrued interest and at the end of the trial, suitable orders shall be passed for disbursal of the amount as compensation.

[b] the petitioners shall stay at Nazareth and sign before the Nazareth Police Station twice a day daily at 10.30 a.m., in the morning and 06.30 p.m., in the evening for a period of two weeks and thereafter, as and when required by the respondent police for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

[f] The Inspector of Police, Nazareth Police Station is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-

25/02/2015

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, SATHANKULAM.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE, MEGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE OFFICER IN-CHARGE, NAZARETH POLICE STATION, NAZARETH.

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

+1. CC to M/S.T.A.EBENEZER, Advocate SR.No.8722.

ORDER IN
CRL OP(MD) No.3274 of 2015
Date :25/02/2015

msm 26.02.2015 p3/7c