



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.3400 of 2015

1 M. SAFIFULLAH

2 M. RAFIQ

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

1 THE INSPECTOR OF POLICE

MURAPPANADU POLICE STATION, THOOTHUKUDI DT,

CRIME NO.201/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R. PANDI MAHARAJA, Advocate

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

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

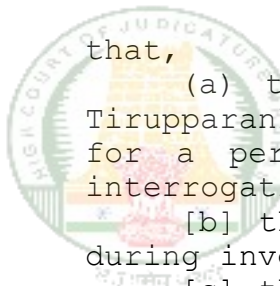
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.201 of 2014, on the file of the respondent police for offences under Sections 364(A), 342, 323, 506(ii) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate for the respondent.

3. It is the case of the prosecution that these petitioners along with one Boomi alias Boominathan and Ali alias Mohammed Ali abducted the de-facto complainant, who is said to be a practising advocate on 04.09.2014. It is alleged that the said Advocate as also involved in scrap business and there was some misunderstanding between the said Boominathan and the de-facto complainant during the course of business. It is seen that Boominathan and Ali, who were arrested by the police, were granted regular bail by this Court in Crl.O.P.No.18362 of 2014 on 13.09.2014. There are no bad antecedents against these petitioners. These petitioners are being implicated on the confession statement of the arrested accused. Under such circumstances, this Court is of the view that it is a fit case to grant anticipatory bail, but with 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 (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srivaikundam, Tuticorin District, on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand and service) 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 in Madurai and report before the Tirupparankundram Police Station, everyday at 10.30 a.m and 06.30 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/-  
05/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE  
SRIVAICKUNDAM
- 2 THE CHIEF JUDICIAL MAGISTRATE  
TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE  
MURAPPANADU POLICE STATION, THOOTHUKUDI DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.PERFECT LAW ASSOCIATES Advocate SR.No.11015

Sm:10.03.2015:2P/6C:

ORDER  
IN  
CRL OP(MD) No.3400 of 2015  
Date :05/03/2015