



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3433 of 2015

1 JEYAKUMAR

2 BALU

..PETITIONERS/ACCUSED No.2
AND 2ND ACCUSED RANK NOT KNOWN

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
MELUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.117/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SESUBALAN RAJA Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 379 (NH) and 506(i) of Indian Penal Code in Crime No.117 of 2015 on the file of the respondent police, seek anticipatory bail.

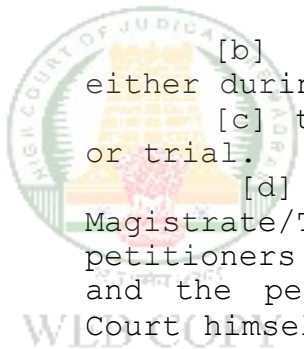
2. On the directions of this Court in Crl.O.P.(MD)No.1449 of 2015, this case has been registered. Even according to the *defacto* complainant, the date of occurrence is 10.12.2014 and the complaint was given on 14.02.2015. The *defacto* complainant and the petitioners are relatives and it is alleged that the petitioners have stolen the cow of the *defacto* complainant.

3. The learned counsel for the petitioners submits that on account of previous enmity, this case has been foisted against the petitioners and that the cow is with the relative of the *defacto* complainant.

4. It is represented by the learned Government Advocate (Criminal Side) that 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, Melur, Madurai District, 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 first petitioner shall report before the respondent police at 9.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation. The second petitioner shall appear 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the first petitioner is complying with the order or not.

sd/-
26/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, MELUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.P.SESUBALAN RAJA Advocate SR.No.9100

ORDER IN
CRL OP(MD) No.3433 of 2015
Date :26/02/2015

PBK 27/02/2015 ::2P-6C: