



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.3447 of 2015

WEB COPY

1 DHARMARPANDIYAN
2 AASIRVATHAPANDIAN
3 SHANMUGATHAI
4 THANGAM
5 SHAMUGAVEL
6 M.P.POOSADURAI
7 KALANGEAM
8 PAUL TAI
9 KARTHICK
10 SHANTHI
11 KARUTHATHURACHI @ STEELA

..PETITIONERS/ACCUSED 2 to 11

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
PULIYANGUDI POLICE STATION,
SIVAGIRI TALUK, TIRUNELVELI DISTRICT.
CR.NO.84/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.BASKAR MATHURAM 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 :-

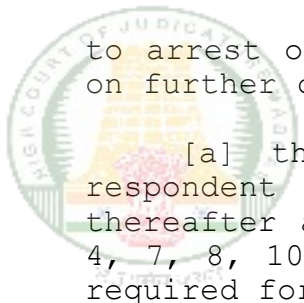
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294 (b), 323, 324 and 506(ii)I.P.C. in Crime No. 84 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. The learned Government Advocate (Crl.Side) would submit that it is a case and counter and the counter case is in Cr.No.85 of 2015 and the injured was discharged from the hospital. He would further state no previous case is against the petitioners.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant Anticipatory Bail to the petitioners herein.

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, Sivagiri, Tirunelveli District, on condition that 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 1, 2, 5, 6 and 9 shall report before the respondent police daily at 06.00p.m. for a period of two weeks and thereafter as and when required for interrogation and the petitioners 3, 4, 7, 8, 10 and 11 shall report 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 Judicial 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 Judicial 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 compliance report to the office of the learned Government Advocate (Crl.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, SIVAGIRI, TIRUNELVELI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, PULIYANGUDI POLICE STATION, SIVAGIRI TALUK, TIRUNELVELI DISTRICT.

+1. CC to M/S.S.BASKAR MATHURAM Advocate SR.No.9343

ORDER IN

CRL OP(MD) No.3447 of 2015

Date :26/02/2015

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