



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.3536 of 2015

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1 SELVARAJ
2 PRAKASH
3 SINGAMUGAM

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

CR. NO.45 OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUTHUKUMAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

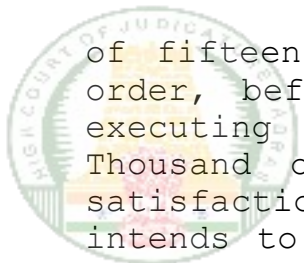
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.45 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 354 and 506(i) IPC and 109 IPC and Section 4 of Women Harassment Act, 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.The case of the prosecution is that the first and 2nd petitioners were illegally taking sand, which was known to the de-facto complainant. It is alleged by the de-facto complainant that the petitioners, suspecting that she is a police informer, came to her house on 21.02.2015 and in the night at 10.00 p.m., pulled her out of the house. They also attempted to pull her saree. 0Since the allegations against the first and 2nd petitioners are indeed very serious, this Court is not inclined to grant anticipatory bail to the petitioners 1 and 2 and accordingly, this petition against the petitioners 1 and 2 is dismissed. As regards the third petitioner is concerned, taking into consideration the age and the alleged overt act attributed against him, it is a fit case to grant anticipatory bail to the third petitioner.

6. Accordingly, the 3rd petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period



of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, on executing 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,

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(a) the 3rd petitioner shall report before the respondent police every day at 06.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the 3rd petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the 3rd petitioner 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 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd petitioner 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, THIRUVADANAI
- 2 THE CHIEF JUDICIAL MAGISTRATE RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUTHUKUMAR Advocate SR.No.10580

ORDER IN
CRL OP(MD) No.3536 of 2015
Date :05/03/2015