



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

Monday, the Twenty Third day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) Nos.3821 and 3822 of 2015

1 VIMALRAJ
2 MANIMARAN

... PETITIONERS/ACCUSED NOS.5&6 IN
CRL.OP (MD) NO.3821/2015

RAMAMOORTHY

... PETITIONER/ACCUSED NO.1 IN
CRL.OP (MD) NO.3822/2015

Vs

THE STATE
REP BY THE INSPECTOR OF POLICE
THIRUPANANTHAL POLICE STATION, THANJAVUR DISTRICT,
CRIME NO.59/2015 ... RESPONDENT/ COMPLAINANT IN BOTH THE
PETITIONS

For Petitioner : M/S.V.ACHUTHAN Advocate in
Crl.OP (MD) No.3821/2015

M/S.B.ANANDAN, Advocate in
Crl.OP (MD) No.3822/2015

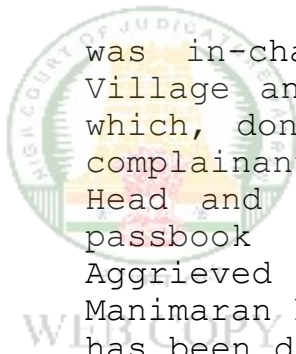
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side) in both Cases

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.59 of 2015, on the file of the respondent police for offences under Sections 147, 148, 294(b), 324, 307 and 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.



was in-charge of Kumbabishekam of Sri Mariamman Temple in the Village and he was holding the passbook of the joint account, in which, donations were being collected and deposited. The de-facto complainant in this case, has succeeded Ramamoorthy as the Village Head and therefore, he called upon Ramamoorthy to hand over the passbook and accounts with regard to the collections made. Aggrieved over it, Ramamoorthy, his son Vimalraj and nephew Manimaran had attacked the de-facto complainant. Though the injured has been discharged from the hospital, taking into consideration the serious nature of allegations against Ramamoorthy, this Court is not inclined to grant anticipatory bail to the petitioner/Ramamoorthy in Crl.O.P.(MD) No.3822 of 2015. Accordingly, the petition in Crl.O.P.(MD) No.3822 of 2015 is dismissed. As regards the petitioners in Crl.O.P.(MD) No.3821 of 2015 is concerned, this Court is of the opinion it will serve the interest of justice, if anticipatory bail is granted, but with conditions.

4. Accordingly, the petitioners in Crl.O.P.(MD) No.3821 of 2015 is 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 II Additional District Munsif cum Judicial Magistrate, Kumbakonam, Thanjavur District, 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,

(a) the petitioners in Crl.O.P.(MD) No.3821 of 2015 shall appear before the respondent police everyday at 7.00 p.m. for a period of four 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 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 petitioner in accordance with law as if the conditions have been imposed and the 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].

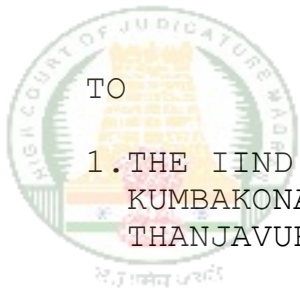
[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl. side) as to whether they are complying with the condition or not. Crl.OP(MD)No.3821/15 is dismissed.

sd/-

23/03/2015

/ TRUE COPY /

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



TO

1. THE IIND ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
KUMBAKONAM
THANJAVUR DISTRICT

WEB COPY

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR AT KUMBAKONAM DISTRICT

3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

4. THE INSPECTOR OF POLICE
THIRUPANANTHAL POLICE STATION, THANJAVUR DISTRICT

+1. CC to M/S.V.ACHUTHAN Advocate SR.No.14047

+One cc to M/S.B.ANANDAN, Advocate, SR.No.14046

RL/7C - 24/3/2015

ORDER

IN

CRL OP (MD) Nos.3821 and 3822
of 2015

Date :23/03/2015