



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Ninth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3855 of 2015

WEB COPY

1 PONRAJ
2 RAMANATHAN

... PETITIONERS/ACCUSED-5 & 6

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI DT,
CRIME NO.18/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.ANBARASU Advocate

For Respondent : MR.S.SHANMUGA VELAYUTHAM PUBLIC PROSECUTOR
ASSISTED BY MR.R.RAMACHANDRAN,
ADDITIONAL PUBLIC PROSECUTOR

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

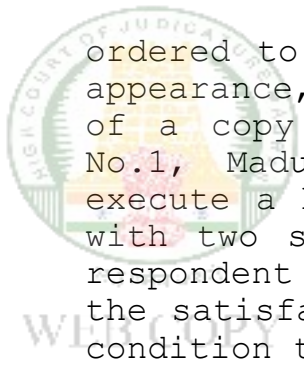
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 447, 379, 434, 420, 304(ii) r/w 511 IPC, 3(1) of TNPPDL Act, 3(a), 4(a) of Explosive Substances Act, 4(1), 4(1-A) and 21 of MMDR Act in Crime No.18 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard Mr.D.Anbarasu, learned counsel appearing for the petitioners and Mr.S.Shanmuga Velayutham, learned Public Prosecutor assisted by Mr.R.Ramachandran, learned Additional Public Prosecutor, appearing for the State.

3. The case of the prosecution is that these petitioners were working under Solairajan (A1), who was given quarry lease by the Government. It is alleged by the prosecution that Solairajan had illegally quarried into the adjoining lands and caused loss to the Government.

4. It is seen that Solairajan was granted regular bail by the learned I Additional Sessions Judge, Madurai in CrI.M.P.No.1169 of 2015 on 16.02.2015. Even in the FIR, it is stated that these petitioners were working under Solairajan. Under such circumstances, this Court is of the view that custodial interrogation of this petitioner may not be necessary in this case. Therefore, this Court is inclined to grant anticipatory bail to these petitioners. Accordingly, the petitioners in CrI.O.P.(MD) No.3854 of 2015 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 No.1, Madurai, on condition that each of 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 shall report before the respondent police daily at 10:30 a.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 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 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].

sd/-

09/03/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NO.I, MADURAI

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE MADURAI

3 THE INSPECTOR OF POLICE DISTRICT CRIME BRANCH, MADURAI DT,

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

+1. CC to M/S.D.ANBARASU Advocate SR.No.11045

ORDER

IN

CRL OP(MD) No.3855 of 2015

Date :09/03/2015

NA/10/03/2015/P2/6C

<https://hcservices.ecourts.gov.in/hcservices/>