



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4100 of 2015

1 MOHAMMED ISMAIL
2 MOHAMMED ALI JINNAH
3 JAFFER ALI
4 HAJI
5 MOHAMMED KHAJA
6 MOHAMMED KADHAR MOHAIDDEN @ ABDUL KHADAR
7 N.R.SULAIMAN

..PETITIONERS/ACCUSED 1 to 7

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 52 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.R.VENKATESAN 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 offence punishable under Sections 147, 148, 294 (b), 323, 448 and 506(ii) IPC and **(*)Section 4 of TNPHW Act and Section 3 of TNPPDL Act**, in Crime No.52 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Crl.Side) that injured has been discharged from the hospital and there is no previous case as against the petitioners.

3. Considering the facts and the injured has already been discharged from hospital and that the petitioners have no previous antecedent, 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, Ambasamudram, on condition that the petitioners 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 and 3 shall report before the respondent police as and when required for interrogation and the other petitioners shall report before the respondent police daily at 06.30 pm for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness or interfere with 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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-

06/03/2015

/ TRUE COPY /

**(*)Amended as per order dated 20.03.2015
and made in MP(MD)No.1 of 2015 in
Crl.OP(MD)No.4100 of 2015 and
Two weeks time, from the date of receipt
of amended order copy is granted to the
petitioners to furnish sureties and the
rest of the conditions shall remain
the same.**

Sub-Assistant Registrar (C.S.)

TO

(*)To be substituted order already despatched.

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUDRAM, TIRUNELVELI DISTRICT.
- 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, TIRNELVELI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE INSPECTOR OF POLICE, ALWARKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S.V.R.VENKATESAN Advocate SR.No.13580
ORDER IN
CRL OP(MD) No.4100 of 2015
Date :06/03/2015

PBK 09/03/2015 ::2P-6C:

PBK 24/03/2015 ::2P-6C:(IT)