



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

Monday, the Sixteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4855 of 2015

1 ABDUL KADHER

2 SAHUL HAMEED

3 MAHOOTHOM

... PETITIONERS/ACCUSED 1 TO 3

Vs

STATE REP BY THE INSPECTOR OF POLICE

SATHANKULAM POLICE STATION,

THOOTHUKUDI DIST.

(CR.NO. 76 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.BALAKRISHNAN 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 :-

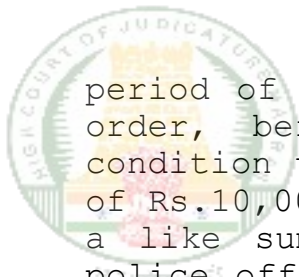
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) I.P.C. in Crime No. 76 of 2015 on the file of the respondent police, seek anticipatory bail.

2. There is no representation on behalf of the petitioners, due to "Boycott of Court" pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police. Heard the learned Government Advocate (Crl.Side) appearing for the State. The respondent police is present.

3. The learned Government Advocate (Crl.Side) would submit that due to some dispute between the petitioners and the defacto complainant, there was a wordy quarrel between them. He would further submit that there is no previous case as against the petitioners.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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, Sathankulam 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 appear before the respondent police daily at 10.30a.m. for a period of two 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 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 petitioners are complying with the order or not.

sd/-
16/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHANKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE, SATHANKULAM POLICE STATION,
THOOTHUKUDI DIST.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.BALAKRISHNAN Advocate SR.No.12962

ORDER
IN
CRL OP (MD) No.4855 of 2015
Date :16/03/2015

AA/19.03.2015/2p- 6c/