



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) No.5309 of 2015

1 MURUGANANDHAM

2 HAKKIM SAIT

3 NATARAJAN

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE

DISTRICT CRIME BRANCH, MADURAI DISTRICT.

CR. NO. 21/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : MR.S.SHANMUGAVELAYUTHAM, STATE PUBLIC PROSECUTOR,
ASSIT. BY MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

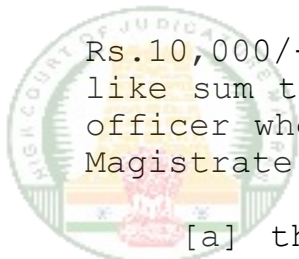
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 379, 447, 430, 434, 304(ii) r/w 511 I.P.C. and Section 3(1) TNPPDL Act and Sections 3(a), 4(a) of Explosive Substances Act in Crime No. 21 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate(Crl.Side).

3. In this case, one Ibrahim Sait is the lessee and this Court had dismissed the anticipatory bail application of Ibrahim Sait in Crl.O.P.(MD)NO.2102 of 2015, on 17.02.2015. The allegation against Ibrahim Sait is that he was given quarry licence and that he had quarried in excess of the land that was allotted to him for quarrying. As far as these petitioners are concerned, they are only employees working under Ibrahim Sait. Under these circumstances, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners.

4. 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 No.I, 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 appear before the respondent police daily at 06.30p.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/-
23/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

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

+2. CCS to M/S.S.SARAVANAKUMAR Advocate SR.No.13999

SR : 25.03.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.5309 of 2015
Date :23/03/2015