



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

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5436 of 2015

WEB COPY

1 V. SARAVANAKUMAR

2 T. SABARI SUBARMANIAN

... PETITIONERS/ACCUSED PERSON 1 & 2

Vs

STATE REP BY

THE INSPECTOR OF POLICE

MUTHAYAPURAM POLICE STATION,

TUTICORIN, TUTICORIN DT,

CRIME NO.10/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH Advocate

For Respondent : MR.P.KANDASAMY

Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

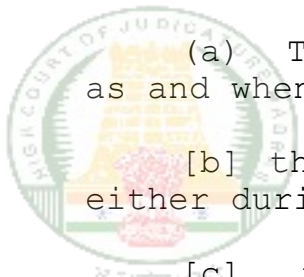
Apprehending arrest at the hands of the respondent police in Crime No.10 of 2015, on the file of the respondent police for offence under Sections 294(b), 342, 352 and 506(ii) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that the defacto complainant had obtained loan from the petitioners for purchasing a JCB and since the defacto complainant defaulted in paying the installments, the petitioners have seized the vehicle. At that time, a wordy quarrel ensued between them, in which the defacto complainant was injured.

3. The learned Government Advocate (crl. side) would that the injured has already been discharged from the hospital and there is no previous case against the petitioners.

4. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

5. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Tuticorin 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 shall report before the respondent police 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 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].

sd/-

24/03/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NO.II, TUTICORIN

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TUTICORIN

3 THE INSPECTOR OF POLICE MUTHAYAPURAM POLICE STATION, TUTICORIN,
TUTICORIN DT,

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

+1. CC to M/S.S.C.HEROLD SINGH Advocate SR.No.14708

ORDER

IN

CRL OP(MD) No.5436 of 2015

Date :24/03/2015

NA/26/03/2015/P2/6C