



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

Tuesday, the Thirty First day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5803 of 2015

WEB COPY

1 ELANGO VAN
2 GANESAN
3 PANDI

... PETITIONERS/ACCUSED NO.5,6 & 7

Vs

STATE REP BY
THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION,
THENI DISTRICT.
CR. NO.383/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.APPADURAI Advocate

For Respondent : M/S.A.P.BALASUBRAMANI
Government Advocate (Crl. Side)

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

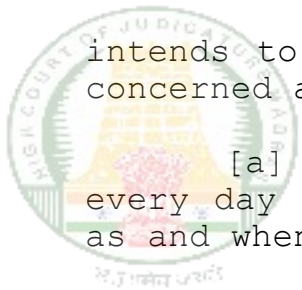
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294(b), 307, 323 and 109 IPC in Crime No.383 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Criminal Side) that this is the case and counter and counter case has been registered in Crime No.384 of 2014. It is also represented that the injured has been discharged from the hospital and there is no previous case against these petitioners.

3. It is seen that the co-accused in this case, namely A-1 to A-4 have been granted anticipatory bail by this Court in Crl.O.P. (MD)No.16028 of 2014, on 04.09.2014.

4. Considering the facts and circumstances of the case and also the fact 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, Periyakulam, on condition that the petitioners shall execute 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 appear before the respondent police every day at 06.30 p.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 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-
31/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE THENI DISTRICT
- 3 THE INSPECTOR OF POLICE DEVATHANAPATTI POLICE STATION,
THENI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.APPADURAI Advocate SR.No.15991
ORDER
IN
CRL OP(MD) No.5803 of 2015
Date :31/03/2015

NA/01/04/2015/P2/6C