



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

Monday, the Nineteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.674 of 2015

1 ALAGURAJA

2 SELVARAJ

... PETITIONERS / ACCUSED NO.1 AND 4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

THIRUCHULI POLICE STATION, VIRUDHUNAGAR DIST,

CR.NO.368/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.EDDY AND EMBOSS LAW FIRM Advocate

For Respondent : 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 :-

Apprehending arrest at the hands of the respondent police in Crime No.4368 of 2014, on the file of the respondent police for offences under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that on 31.12.2014, on account of land dispute, these petitioners had attacked the de-facto complainant. This is a case and counter. The counter case is in Crime No.369 of 2014 against the de-facto complainant in this case for offence under Sections 324 IPC. In this case A2, A5 and A6 have been arrested.

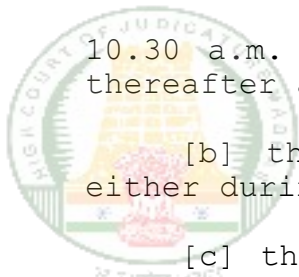
3. As this Court was not inclined to grant anticipatory bail for A1, the learned counsel for the petitioner seeks permission to withdraw this petition as against the first petitioner/A1. Accordingly, permission is granted. He has also made an endorsement to that effect. Hence, this petition is dismissed as withdrawn in respect of the first petitioner/A1.

4. As regards the 2nd petitioner/Selvaraj (A4) is concerned, as the allegations are not very serious, I am inclined to grant anticipatory bail, but with conditions.

5. Accordingly, the 2nd petitioner/A4 is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate, Aruppukottai, 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

<https://hmc.judgescourt.gov.in/home.aspx>

(a) the 2nd petitioner/A4 shall stay at Srivilliputhur and report before the Srivilliputhur Town Police Station every day twice, i.e. at



10.30 a.m. and 6.30 p.m., for a period of four weeks without fail and thereafter as and when required for interrogation.

[b] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the 2nd petitioner 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 2nd petitioner 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/-
19/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,ARUPPUKOTTAI

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4.THE INSPECTOR OF POLICE
THIRUCHULI POLICE STATION, VIRUDHUNAGAR DIST.

5.THE OFFICER INCHARGE,
SRIVILLIPUTHUR TOWN POLICE STATION, SRIVILLIPUTHUR.

+1. CC to M/S.EDDY AND EMBOSS LAW FIRM Advocate SR.No.1954

ORDER
IN
CRL OP(MD) No.674 of 2015
Date :19/01/2015

rg.20.01.2015

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