



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

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

WEB COPY

CRL OP(MD) No.8956 of 2015

1 MURUGANANTHAM

2 OM.MURUGAN

... PETITIONERS / ACCUSED NO.3 & 4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

THANDIKUDI POLICE STATION, DINDIGUL DISTRICT.

(CR.NO.100 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHICK 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 379 and 411 of Indian Penal Code in Crime No.100 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is seen that A-1 and A-2 had committed theft of pepper from a garden belonging to the *defacto* complainant and they were arrested and released on bail. The allegation against these petitioners is that they have received the stolen pepper.

3. Taking into consideration the nature of allegations levelled against the petitioners, this Court is inclined 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, Kodaikanal, 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 report before the respondent police daily 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/-

06/05/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,KODAIKANAL.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

4.THE INSPECTOR OF POLICE
THANDIKUDI POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S.M.S.JEYAKARTHICK Advocate SR.No.25099

ORDER

IN

CRL OP(MD) No.8956 of 2015

Date :06/05/2015

RG.07.05.2015

2P.6C.