



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

CRL OP(MD) No.8972 of 2015

BOSCO

... PETITIONER/ACCUSED NO.1

- VS -

THE STATE

REP BY THE INSPECTOR OF POLICE

THALAVAIPURAM POLICE STATION, VIRUDHUNAGAR DISTRICT.

(CRIME NO.197 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.M.SANJAY Advocate

For Respondent : M/S.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 petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 353, 323 and 506(ii) IPC in Crime No.197 of 2015, seeks anticipatory bail.

2. It is represented by the learned Government Advocate (Crl. Side) that there are 19 accused in the case and the 2nd accused had been arrested and released on bail as per the order of this Court vide Crl.O.P.(MD) No.8017 of 2015. Taking into consideration the facts and circumstances of the case and considering the fact that the co-accused had already been released on bail, I am inclined to grant anticipatory bail to the petitioner, but with conditions.

3. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rajapalayam, on condition that 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 petitioner shall report before the respondent police everyday at 6.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

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

[c] the 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 petitioner in accordance with law as if the conditions have been imposed and the 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition 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, RAJAPALAYAM
 2. DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE INSPECTOR OF POLICE
THALAVAIPURAM POLICE STATION, VIRUDHUNAGAR DISTRICT.
- RL/5 C- 11/5/2015

ORDER
IN
CRL OP (MD) No.8972 of 2015
Date : 06/05/2015