



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.8979 of 2015

WEB COPY

1 SHENKOTTAIYAN,
2 ALAGUSUNDARAM,

..PETITIONERS/ACCUSED 2 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE,
ALWAR THIRUNAGARI POLICE STATION,
THOOTHUKUDI DT.
(IN CR.NO.84/15)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.DURAI RAJ Advocate

For Respondent : Mr.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 an alleged offence punishable under Sections 147, 294(b), 448, 323 and 506(ii) IPC in Crime No.84 of 2015, seek anticipatory bail.

2. It is the case of the prosecution that on 29.04.2015 the petitioners and others had allegedly attacked the de-facto complainant.

3. It is represented that the injured had been discharged from the hospital and there is no previous case as against the petitioners. Taking into consideration the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

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, Srivaikundam, on condition that each of 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 petitioners shall report before the respondent Police Station everyday at 6.30 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 compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-

06/05/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SRIVAİKUNDAM, THOOTHUKUDI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE, ALWAR THIRUNAGARI POLICE STATION,
THOOTHUKUDI DT.

+1. CC to M/S.S.R.DURAI RAJ Advocate SR.No.25180

ORDER IN

CRL OP(MD) No.8979 of 2015

Date :06/05/2015

PBK 11/05/2015 ::2P-6C: