



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

Wednesday, the Twenty First day of January Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.898 of 2015

1 APPASH MANTHIRI
2 SHEIK ABDUL KADHAR
3 KADHAR MEERAN
4 KADHAR HUSAIN
5 SELVI.EIRBAN BANU

... PETITIONERS / ACCUSED NOS.1 TO 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.
CRIME NO.441/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SARAVANAN Advocate

For Respondent : M/S.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 147, 427, 379(N.P) and 109 I.P.C. in Crime No. 441 of 2014 on the file of the respondent police, seek anticipatory bail.

2. This case has been registered pursuant to the direction given by this Court. According to the defacto complainant, when he got up in the morning, he found that his house gate was missing and therefore he suspected the involvement of these petitioners.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offences as alleged in the F.I.R. and hence, seeks anticipatory bail to the petitioners.

4. Heard the learned Government Advocate (Crl.Side).



5. Considering the facts and circumstances of the case, it appears to be civil in nature and hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 No.I, Theni 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 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 Judicial 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 Judicial 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/-
21/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THENI.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE INSPECTOR OF POLICE, UTHAMAPALAYAM POLICE STATION, THENI DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC TO M/S.D.SARAVANAN, ADVOCATE, SR.NO.2604.