

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the Seventh day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.14 of 2015

1 KALIRAJ
2 PERIAMARIAPPAN
3 RAMAIAH MUDALIAR
4 MUTHUKUMAR
5 GANESAN

... PETITIONERS/ACCUSED 1 TO 5

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PULIYANKUDI POLICE STATION,
TIRUNELVELI DT,
CRIME NO.574/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate

For Respondent : 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 offence punishable under Sections 147, 294(b), 506(i) IPC in Crime No.574 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners abused the defacto complainant by using filthy language.

3. It is represented by the learned Government Advocate (Crl.Side) that no one sustained injury in this case and there is no previous case against the petitioners.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. 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 District Munsif cum Judicial Magistrate, Sivagiri, Tirunelveli District, 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 1,2, 4 and 5 shall stay at Tenkasi and report before Tenkasi Town Police Station twice a day at 10.30 a.m and 6.30 p.m for a period of two weeks and thereafter as and when required for interrogation. The third petitioner 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 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 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/-

07/01/2015

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SIVAGIRI,
TIRUNELVELI DISTRICT

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE PULIYANKUDI POLICE STATION,
TIRUNELVELI DT,

4 THE INSPECTOR OF POLICE TENKASI TOWN POLICE STATION, TENKASI

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

+1. CC to M/S.V.SASIKUMAR Advocate SR.No.512

ORDER

IN

CRL OP(MD) No.14 of 2015

Date :07/01/2015

NA/09/01/2015/P2/7C