



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

Friday, the Eleventh day of March Two Thousand Sixteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.15065 of 2015

1 E.AROCKIASAMY
2 A.INNASIMUTHU

... PETITIONERS/ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DISTRICT POLICE OFFICE,
TRICHY DISTRICT.
(CRIME NO. NOT KNOWN IN 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.R.SUNDAR, ADVOCATE

FOR RESPONDENT : MR.A.P.BALASUBRAMANI GOVERNMENT ADVOCATE (CRL. SIDE)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

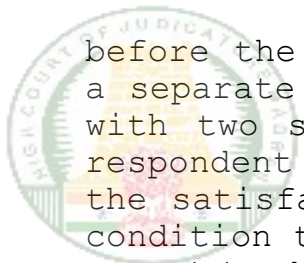
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.25 of 2015, on the file of the respondent police for offences under Sections 406, 420 and 506(i) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3.This case has been registered on a direction issued by this Court in Crl.O.P.(MD) No.15065 of 2015. The de-facto complainant in this case is Akila Bharathiya Hindu Maha Saba represented by its District President Gangadharan. The case of the de-facto complainant that the petitioners/accused are belonging to DMK party and they are running an unauthorised chit and they have not paid money to subscribers. If the allegations are true, the subscribers would have gone to the police station and they would not have gone to the party run by the de-facto complainant. Taking into consideration the nature of the allegations, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.

<https://hcservices.courts.gov.in/hcservices/> 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.II, Trichy, on executing 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 every day at 6.30 p.m. until further orders.

[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 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 a compliance report to the office of the learned Government Advocate (Crl. Side) as to whether they are complying with the condition or not.

sd/-
11/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TRICHY
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
3. THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
DISTRICT POLICE OFFICE, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15065 of 2015
Date :11/03/2016