



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

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10102 of 2016

1 S.JAYABALAN
2 S.JAYAPERAGAESH

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION
RAMANATHAPURAM DISTRICT
CR.NO.424 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) IPC and Section 3 of PPDL Act, in Crime No.424 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

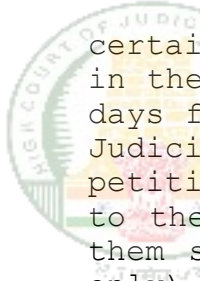
2.The case of the prosecution is that on 08.06.2016 at 05.45 p.m., near Peravur Main Road, the accused persons came in drunken mood, stopped the auto driven by the de facto complainant, abused him in filthy language, threatened him with dire consequences and caused damage to his auto to the tune of Rs.1,00,000/-. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Their names are not found place in the FIR.

4.The learned counsel for the petitioners submitted that each of the petitioners are willing to deposit Rs.5,000/- to the credit of this case before the Trial Court.

5.The learned Government Advocate (Criminal side) submitted that the petitioners attacked the de facto complainant in drunken mood and caused damage to his auto and investigation is pending.

<https://hcservices.courts.gov.in/hcservices/> 6.Considering the facts and circumstances of the case and also considering the submission made on the side of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with



certain conditions. Accordingly, they 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, Ramanathapuram on condition that each of the petitioners shall deposit a sum of Rs.5,000/- (Rupees five thousand only) to the credit of Crime No.424 of 2016 before the said Court and each of them 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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].

7.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
23/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.

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

4 THE INSPECTOR OF POLICE, KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT

+1. CC to M/S J.ANANDKUMAR Advocate SR.No.32624.

ORDER
IN
CRL OP(MD) No.10102 of 2016
Date :23/06/2016