



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

Friday, the First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10892 of 2016

1 JACKSON
2 SWIZKHAR

... PETITIONERS/ ACCUSED No.2 & 3

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE
BAMPAN POLICE STATION
RAMANATHAPURAM DISTRICT
CR.NO.57 OF 2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S A.UTHAYAKUMAR 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 Nos.2 and 3 apprehend arrest at the hands of the respondent police for the offence punishable under Section 387 of IPC, in Crime No.57 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

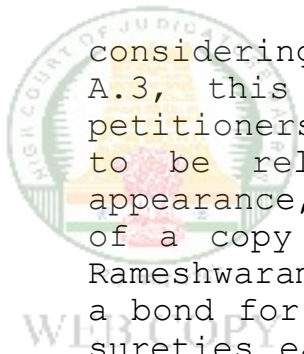
2.The case of the prosecution is that on 26.06.2016, due to domestic dispute, the petitioners along with other accused slapped the de facto complainant and pull down him on the mud floor and took Rs.200/- from his pocket. On complaint case has been registered for the above said offences.

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.

4.The learned Government Advocate (Criminal side) submitted that Rs.200/- has been recovered from A.3 and the petitioners are not having any previous case.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also



considering the fact that the amount has already been recovered from A.3, 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, Rameshwaram, on condition that each of the petitioners 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 10.00 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].

6.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/-
01/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESHWARAM
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, BAMPAN POLICE STATION
RAMANATHAPURAM DISTRICT
- +1. CC to M/S A.UTHAYAKUMAR Advocate SR.No.34632

SMN

JM/SK-SKN/SAR-III/06.07.2016/2P-6C

ORDER
IN
CRL OP(MD) No.10892 of 2016
Date :01/07/2016