



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

Wednesday, the Twentieth day of July Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.11175 of 2016

1 UTHIRAM
2 MUTHUKUMAR

... PETITIONERS/ACCUSED No.A1 & A6

Vs

STATE, REP. BY
THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR.No.106/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.R.DURAIRAJ Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

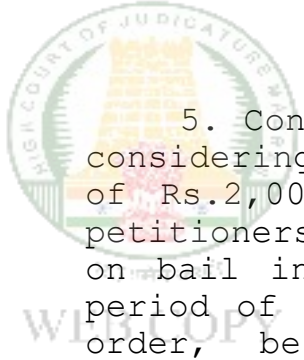
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,148,448,323, 506(ii) of IPC r/w. Section 4 of Women Harassment act and Section 3 of TNPPDL Act in Crime No.106 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused trespassed into the house of the defacto complainant and caused damage worth Rs.10,000/-. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that the petitioners are willing to deposit a sum of Rs.2,000/- and prays for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.10,000/- and the investigation of the case is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are ready to deposit a sum of Rs.2,000/-, 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 Judicial Magistrate, Srivaikundam, Thoothukudi District and on condition that each of the petitioners shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of above said Crime No.106 of 2016 and 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 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 daily at 10.00 am 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 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].

sd/-
20/07/2016

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Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.S.JEYAKARTHIK, Advocate SR.No.37948

ORDER IN
CRL OP(MD) No.11175 of 2016
Date :20/07/2016