



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11264 of 2016

1 BASKARAN
2 MANIKANDAN
3 RAGUMAN
4 SOURNAMOORTHY
5 PRABHU
6 VETRIKUMAR

... PETITIONERS/ ACCUSED NO.A1 TO A6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO. 70 OF 2016. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.RAJAPRABHU Advocate

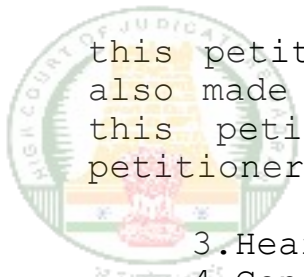
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1 to 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC, in Crime No.70 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Further, the petitioners have already filed Crl.O.P(MD)No.9399 of 2016 for anticipatory bail before this Court and this Court vide order dated 16.06.2016, granted anticipatory bail to them. They could not produce the sureties before the Judicial Magistrate in time for non-availability of surety. Hence, the petitioners have come up with the present petition. The learned counsel for the petitioners further submitted that the petitioners 2 to 6 already executed the sureties before the learned Judicial Magistrate concerned and by mistake this petition has been filed for all the petitioners and he seeks permission of this Court to withdraw



this petition in respect of the petitioners 2 to 6 and he has also made an endorsement to that effect. In view of the same, this petition is dismissed as withdrawn in respect of the petitioners 2 to 6.

3. Heard the learned Government Advocate (Criminal side).

4. Considering the facts and circumstances of the case and also the considering fact that this Court has already granted anticipatory bail to the first petitioner vide order dated 16.06.2016 made in CrI.O.P(MD)No.9399 of 2016, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottai, on condition that the first petitioner 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 first petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (ii) the first petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the first petitioner 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 first petitioner in accordance with law as if the conditions have been imposed and the first 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]**.

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 first petitioner is complying with the conditions or not.

sd/-
11/07/2016

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE, ARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S S.RAJAPRABHU Advocate SR.No.35476

ORDER

IN

CRL OP (MD) No.11264 of 2016

Date :11/07/2016

GJM/ARK/PV/SAR-III-13.7.16-3P-6C