



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

Wednesday, the Twentieth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12210 of 2016

1 PARAMASIVAM

2 MALLIGA,

3 KASIYAMMAL @ USHA RANI

..PETITIONERS/ACCUSED 1 to 3

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

(CRIME NO.248 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S K.VEILMUTHU 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 :-

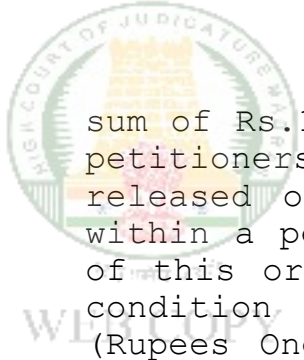
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 353 and 506(ii) of IPC r/w. 3 of TNPPDL Act in Crime No.248 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners attacked the defacto-complainant and abused him in filthy and also threatened him with dire consequences and caused damage worth Rs.1,500/-. 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.1,500/- and prayed for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.1,500/- 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 willing to deposit a



sum of Rs.1,500/-, 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, Tenkasi, on condition that the petitioners shall deposit a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) to the credit of the above said Crime No. 248 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 first petitioner shall report before the respondent police daily at 10.00 am until further orders and the petitioners 2 and 3 are being ladies shall appear before the respondent Police as and when required for interrogation.

[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].

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 condition or not.

sd/-

20/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI, TIRUNELVELI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, KADAYANALLUR POLICE STATION, TIRUNELVELI DISTRICT.
- +1. CC to M/S K.VEILMUTHU Advocate SR.No.38228

ORDER IN

CRL OP(MD) No.12210 of 2016

Date :20/07/2016