



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.12216 of 2016

WEB COPY

1 VIJAYAKUMAR
2 VALLARASU

... PETITIONERS/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
UTHAMAPALAYAM TALUK,
THENI DISTRICT.
(IN CR.NO.217 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.MURALI 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 apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 341,353, 294(b) and 506(i) of IPC in Crime No.217 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners helped the illegal hunters to cut the trees in the forest lands and due to that there was a wordy quarrel arose between the petitioners and defacto complainant and 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 A2 and A3 already arrested and enlarged on bail in Cr.M.P.No.6327 of 2016 by the learned Judicial Magistrate, Uthamapalayam.

4. The learned Government Advocate (Crl. Side) submitted that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused has already been arrested and enlarged on bail, 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, Uthamapalayam, Theni District 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 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].

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 petitioner is complying with the condition or not.

sd/-

20/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
UTHAMPALAYAM, THENI DISTRICT.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
UTHAMAPALAYAM TALUK, THENI DISTRICT.

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

+1. CC to M/S R.MURALI Advocate SR.No.38574

ORDER

IN

CRL OP(MD) No.12216 of 2016

Date :20/07/2016