



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12322 of 2016

1 BALASUBRAMANIAN
2 KUMAR @ MUTHUKUMAR

... PETITIONER/ACCUSED NO.I & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.314 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.PUGALENDHI 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 :-

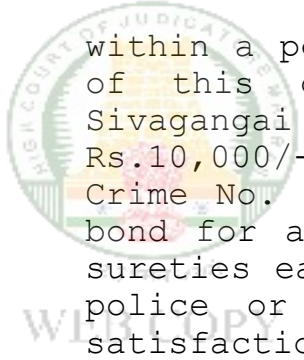
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b) 506(ii) of IPC and Section 3 of TNPPDL Act in Crime No.314 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners abused the defacto complainant in filthy language and also caused damage to the bridge 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.10,000/- 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.10,000/-, 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 No.I, Sivagangai on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of above said Crime No. 314 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].

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/-

22/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE, KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S S.PUGALENDHI Advocate SR.No.38674

ORDER

IN

CRL OP (MD) No.12322 of 2016

Date :22/07/2016