



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

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12410 of 2016

1 MURUGAN
2 SINGADURAI @ SELVAM
3 CHANDRAN
4 MAHESH

... PETITIONERS/ACCUSED NO.2 TO 5

Vs

STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
CHINNAKOVILANKULAM POLICE STATION,
CHINNAKOVILANKULAM,
TIRUNELVELI DISTRICT.
CRIME NO.78 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S N.PRAGALATHAN, 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 :-

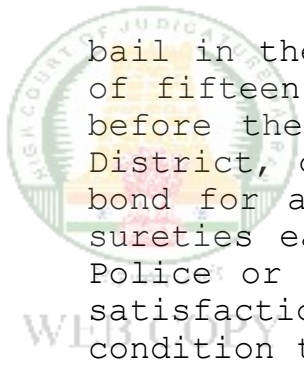
The petitioners, who are arrayed as Accused Nos.2 to 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) IPC, in Crime No.78 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 17.05.2016, the petitioners and another accused abused the de facto complainant in filthy language and threatened him with dire consequences. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners gave a complaint against the de facto complainant in Crime No.77 of 2016 under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and as a counter-blast, the de facto complainant has given a false complaint against the petitioners. No such occurrence was taken place as alleged by the prosecution. The petitioners have been falsely implicated in this case.

4.The learned Government Advocate (Criminal side) submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that this is a case and case in counter , this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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, Sankarankovil, Tirunelveli 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall stay at Madurai and report before the Inspector of Police, Tallakulam Police Station daily at 10.00 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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 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 conditions or not.

sd/-
21/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, CHINNAKOVILANKULAM POLICE STATION, CHINNAKOVILANKULAM, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE, THALLAKKULAM POLICE STATION, THALLAKULAM, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECTUOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S N.PRAGALATHAN Advocate SR.No.38515

ORDER

IN

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Date :21/07/2016