



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12694 of 2016

1 SAKTHIVEL
2 NARAYANAN
3 KANNAN
4 SUDALAI KANNAN

... PETITIONERS / ACCUSED no.(Unknown)

Vs

State rep.by
THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S N.MOHIDEEN BASHA 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 :-

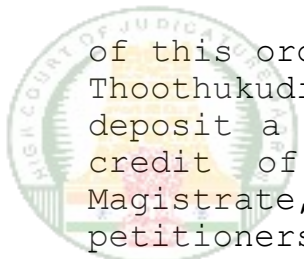
The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 3 of TNPPDL Act, 1992, in Crime No.209 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the petitioner is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

3.After getting instructions, the learned counsel for the petitioners submitted that the petitioners are willing to deposit a sum of Rs.30,000/- to the credit of Crime No.209 of 2016 before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

4.The learned Government Advocate (Criminal side) submitted that the petitioners caused damage to the lorries worth about Rs.45,000/-.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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, Srivaikundam, Thoothukudi District, on condition that the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.209 of 2016 before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District 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 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 report before the respondent Police 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/-
27/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S N.MOHIDEEN BASHA Advocate SR.No.40212

sm:NGM-MP:SAR III:28.07.2016:2P/6C

ORDER
IN
CRL OP(MD) No.12694 of 2016
Date :27/07/2016