



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12801 of 2016

1 VIJAYA PRASANNA
2 R. SANKAR
3 BOOMINATHAN
4 VEERAPANI
5 DURAIPANDI

... PETITIONERS/ACCUSED RANK NOW KNOWN

Vs

STATE REPRESENTED BY THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR NO. 487 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SENTHIL AYYANAR Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

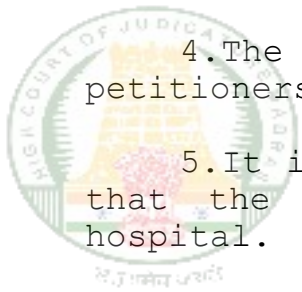
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 offences punishable under Sections 147, 148, 294(b), 324, 342, 448, 506(ii) of IPC and 3 of TNPPDL Act, in Crime No.487 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused entered into the defacto complainant premises and attacked him and caused damage to the property of the defacto complainant worth about Rs.10,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case and the petitioners are the owners of the property and the defacto complainant occupying the property unlawfully. The co-accused Nos.1 & 2 were granted anticipatory bail by this Court in Crl.O.P(MD)No.9819 of 2016, dated 29.06.2016, and prays for anticipatory bail in favour of the petitioners.



4.The learned counsel for the petitioners submitted that the petitioners are ready and willing to deposit a sum of Rs.5,000/-.

5.It is submitted by the learned Government Advocate (Crl.Side) that the injured person had already been discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that the injured had already been discharged from the hospital and the co-accused Nos.1 & 2 were granted anticipatory bail by this Court in Crl.O.P.(MD)No.9819 of 2016, dated 29.06.2016, 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, Aruppukottai, on condition that the petitioners shall deposit a sum of Rs.5000/- (Rupees Five Thousand only) to the credit of Crime No.487 of 2016, before the said Court and each of them 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., and 5.00 p.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]**.

7.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/-
28/07/2016

/ TRUE COPY /

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



TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE, ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SENTHIL AYYANAR Advocate SR.No. 40353

am

JA-NGM-MP/SAR.I/01.08.2016/3P:6C

ORDER

IN

CRL OP(MD) No.12801 of 2016

Date :28/07/2016