



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

Monday, the First day of August Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.13422 of 2016

1 I. RAMALINGAM
2 IYYAMPERUMAL NADAR
3 SUYAMBU

... PETITIONERS/ACCUSED A1 TO A3

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, TUTICORIN.
(CRIME NO. 27 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.JEGANATHAN 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 419, 420, 465, 467, 468, 469, 471 and 474 of IPC in Crime No.27 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioners and defacto complainant and on complaint, a case has been registered against the petitioner.

3. It is submitted by the learned counsel for the petitioners that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. Further, the petitioners have already filed Crl.O.P(MD) No.8128 of 2016 for anticipatory bail before this Court and this Court vide order dated 19.05.2016, granted anticipatory bail to them. They could not produce the sureties before the learned Judicial Magistrate due to sudden bed ridden of the second petitioner. Hence, the petitioners have come up with the present petition.

4. Heard the learned Government Advocate (Criminal side).

5. Considering the facts and circumstances of the case and also considering the fact that this Court has already granted anticipatory bail to the petitioners vide order dated 19.05.2016



made in Crl.O.P(MD)No.8128 of 2016, 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 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, Tuticorin 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 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 1 and 3 shall report before the respondent Police daily at 10.00 a.m. until further orders and the second petitioner shall appear before the respondent Police as and when required for interrogation.
- (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 petitioner 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/-
01/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TUTICORIN
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, TUTICORIN.
- 4 THE ADDL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

1. CC to M/S C.JEGANATHAN Advocate SR.No.41066

ORDER IN
CRL OP(MD) No.13422 of 2016
Date : 01/08/2016