



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.13917 of 2016

1 MUTHU

2 RAMALINGAM

... PETITIONERS/ACCUSED NO.1& 4

Vs

STATE REPRESENTED INSPECTOR OF POLICE

KELATHUVAL POLICE STATION,

RAMNAD, RAMNAD DISTRICT.

(CR.NO. 111 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LAJAPATHY ROY 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 Nos.1 & 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 and 411 IPC, in Crime No.111 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

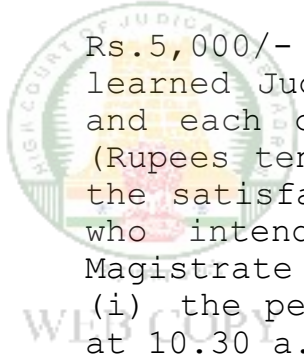
2.The case of the prosecution is that on 14.07.2016, the petitioners cut and sold 7 Tamarind trees from the Government poramboke land in survey No.162/163, Melathuval Village, Ramnad District. On complaint, a case has been registered for the above said offence.

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

4. The learned counsel for the petitioners submitted that the petitioners are willing to deposit a sum of Rs.5,000/- each, to the credit of Crime No.111 of 2016, before the learned Judicial Magistrate, Mudukulathur, Ramanathapuram District.

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

6.Considering the facts and circumstances of the case, 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, Mudukulathur, Ramanathapuram District, on condition that the petitioners shall deposit a sum of



Rs.5,000/- each, to the credit of Crime No.111 of 2016 before the learned Judicial Magistrate, Mudukulathur, Ramanathapuram District, 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 10.30 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/-

05/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE, KELATHUVAL POLICE STATION,
RAMNAD, RAMNAD DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LAJAPATHY ROY Advocate SR.No. 42498

PJL

JA-KBM-SAR.I/11.08.2016/2P:6C

ORDER IN
CRL OP(MD) No.13917 of 2016
Date :05/08/2016