



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14427 of 2016

1 LAZER

2 ARPUTHAM

...PETITIONERS/ACCUSED 1 and 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION
RADHAPURAM TALUK
TIRUNELVELI DISTRICT
CR.NO.296 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.R.ANBARASU 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.1 & 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323 and 506(i) IPC and Section 3 of TNPPDL Act, in Crime No.296 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

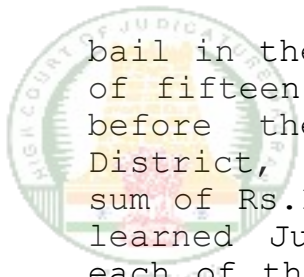
2.The case of the prosecution is that on 02.08.2016, due to motive, the petitioners abused the defacto complainant with filthy language and threatened to kill him. On complaint, a case has been registered for the above said offences.

3. It is submitted by the learned counsel for the petitioners that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that the petitioners damaged a cell phone worth about Rs.15,000/- and investigation is pending.

5.The learned counsel appearing for the petitioners submitted that the petitioners are willing to deposit Rs.10,000/- to the credit of Crime No.296 of 2016 before the learned Judicial Magistrate, Vallioor, Tirunelveli District.

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, Vallioor, Tirunelveli District, on condition that the petitioners shall deposit a total sum of Rs.10,000/- to the credit of Crime No.296 of 2016 before the learned Judicial Magistrate, Vallioor, Tirunelveli 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 10.00 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].

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/-
11/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALIOOR, TIRUNELVELI DISTRICT.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, PANAGUDI POLICE STATION
RADHAPURAM TALUK, TIRUNELVELI DISTRICT

+1. CC to M/S S.R.ANBARASU Advocate SR.No.8739.

ORDER
IN
CRL OP(MD) No.14427 of 2016
Date :11/08/2016