



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

Wednesday, the Seventeenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14629 of 2016

1 MOOKAIAH
2 SURESH
3 MANOHAR

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 97 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MATHAVAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

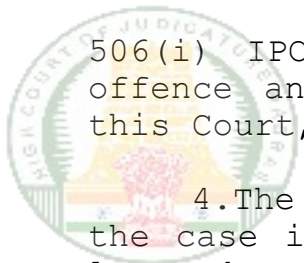
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused persons, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 294(b), 188, 353 and 506(i) IPC, in Crime No.97 of 2015, on the file of the respondent police and in C.C.No.33 of 2016 on the file of the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukkottai District and hence, seek anticipatory bail.

2.The case of the prosecution is that on 18.08.2015, when the petitioner and other accused persons conducted the road roko and blocked the road, one Kumarasamy died in a road accident. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. They are no way connected in this case. Originally the case was registered under Sections 143 and 294(b) IPC alone and at that time the petitioners were granted bail. Thereafter, it was altered into Sections 143, 294(b), 188, 353 and



506(i) IPC. Due to the alteration, it has become non-bailable offence and the petitioners will comply any condition imposed by this Court, prayed for anticipatory bail.

4.The learned Government Advocate (Crl. side) submitted that the case is taken on file in C.C.No.33 of 2016 on the file of the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukkottai District. The petitioners after receiving summons for 2 hearings, did not appear before the Court.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail 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 District Munsif cum Judicial Magistrate, Keeranur, Pudukkottai District, on condition that 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:

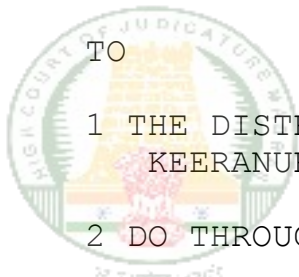
- (i) the petitioners shall report before the concerned Court daily at 10.30 a.m. for 4 weeks and thereafter in all future hearings without fail.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during 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/-
17/08/2016

/ TRUE COPY /

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



TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.MATHAVAN Advocate SR.No.45143

PJL

CSL/SS-3/SAR-III/22.08.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.14629 of 2016

Date :17/08/2016