



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

Tuesday, the Sixteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14815 of 2016

1 MASILAMANI
2 NEWTON SAMUVEL
3 ROCKLAINT DURAI

... PETITIONERS/ACCUSED NOS.1,2&4

Vs

STATE REP BY
THE INSPECTOR OF POLICE
KURUVIKULAM POLICE STATION,
KURUVIKULAM,
TIRUNELVELI DISTRICT.
(IN CRIME NO.151 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SELVA Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

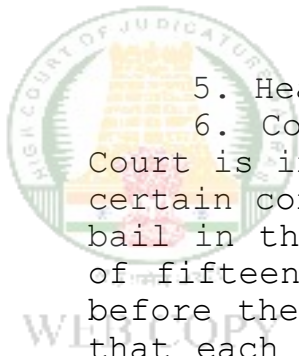
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1, 2 and 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379, 341, 294(b), 426 and 506(i) IPC, in Crime No.151 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have stolen the motor meter, electric wire, pump and wire tube of the *de-facto* complainant. When the *de-facto* complainant questioned the same, the petitioners abused him in filthy language and also threatened him with dire consequences. On complaint, a case has been registered for the above said offences.

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

4. The learned counsel for the petitioners submitted that each of the petitioners are willing to deposit a sum of Rs.10,000/- to the credit of Crime No.151 of 2016 before the learned Judicial Magistrate, Sankarankovil.



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, Sankarankovil, on condition that each of the petitioners shall deposit a sum of Rs.10,000/- to the credit of Crime No.151 of 2016 before the learned Judicial Magistrate, Sankarankovil 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/-

16/08/2016

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, SANKARANKOVIL
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSPECTOR OF POLICE, KURUVIKULAM POLICE STATION,
KURUVIKULAM, TIRUNELVELI DISTRICT.
+1. CC to M/S.V.SELVA Advocate SR.No.44609
RL/6C/2P/DB/SARI/19/8/2016

ORDER
IN

CRL OP(MD) No.14815 of 2016
Date :16/08/2016