

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

Monday, the Twenty Second day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.15363 of 2016

WEB COPY

1 MUKESH
2 VEERASEKAR
3 MUTHULAKSHMI

... PETITIONERS/ACCUSED NO.5,7 & 8

Vs

STATE THROUGH BY
THE INSPECTOR OF POLICE
B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 364/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU 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 :-

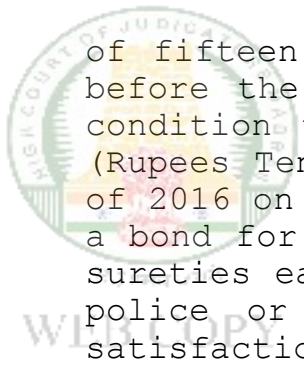
The petitioners, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,294(b),323,427 and 307 of IPC in Crime No.364 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to previous motive the petitioners along with other accused caused damage to the tune of Rs.15,000/- in the temple festival and also assaulted the defacto complainant and caused blood injury. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioners are willing to deposit a sum of Rs.10,000/- and prays for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.15,000/- and the injured has been discharged from the hospital and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and that the petitioners are willing to deposit a sum of Rs.10,000/-, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his 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, Ramanathapuram and on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of above said Crime No.364 of 2016 on the file of the concerned Magistrate and he 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 1 and 2 shall report before the respondent police daily at 10.00 am until further orders and the third petitioner shall appear before the respondent Police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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 petitioner is complying with the conditions or not.

sd/-

22/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
B1 TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SUBASH BABU Advocate SR.No.46426

ORDER

IN

CRL OP(MD) No.15363 of 2016

Date :22/08/2016