



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

Wednesday, the Thirty First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15381 of 2016

1 RATHNA
2 G.GANESAN

... PETITIONERS/ACCUSED NOS.2&3

Vs

STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, CANTONMENT, TRICHY DISTRICT.
(CRIME NO.5/2016) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.GANESH PRABU Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

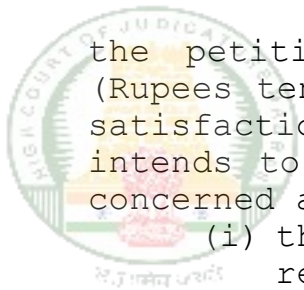
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i), 406 and 420 IPC, in Crime No.5 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.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. Further, the petitioners have already filed Crl.O.P(MD)No.4896 of 2016 for anticipatory bail before this Court and this Court vide order dated 21.03.2016, granted anticipatory bail to them. A.1 and the de facto complainant settled the matter amicably and due to that, they could not produce the sureties before the Judicial Magistrate in time. Hence, the petitioners have come up with the present petition.

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

4.Considering the facts and circumstances of the case and also the considering fact that this Court has already granted anticipatory bail to the petitioners vide order dated 21.03.2016 made in Crl.O.P(MD)No.4896 of 2016, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 No.II, Trichy, on condition that each of



the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties 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 second petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders and the first petitioner shall report before the respondent police as and when required for interrogation.
- (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]**.

5.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/-

31/08/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, TRICHY
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, CANTONMENT, TRICHY DISTRICT.

+1. CC to M/S.R.GANESH PRABU Advocate SR.No.48549
RL/6C/2P/SKS/RR/SARI/2/9/2016

ORDER

IN

CRL OP(MD) No.15381 of 2016

Date :31/08/2016