



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

Wednesday, the Third day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1688 of 2016

1 M.S.PARAMASIVAM

2 M.NAGARAJ

3 M.CHELLAPANDI

..PETITIONERS/ACCUSED 1,2 AND 5

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION,
CHINNAMANUR, THENI DISTRICT.
CR NO. 64 OF 2016.

..RESPONDENT/COMPLAINANT

For Petitioners : M/S M.KARUPPASAMY PANDIAN Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 427, 379 (NH) I.P.C., and Sections 10 and 15 of Cable T.V. Regulation Act and V.C.R.Act, in Crime No.64 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.M.Karuppasamy Pandian, learned counsel appearing for the petitioners / Accused 1, 2 & 5 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It appears that the rivalry between the *de facto* complainant and the petitioners is on account of Cable T.V. business and the 3rd Accused in this case has been arrested and enlarged on bail.

4. Taking into consideration the nature of allegations made against the petitioners / Accused 1, 2 & 5, this Court is of the view that this a fit case to grant anticipatory bail to the petitioners / Accused 1, 2 & 5. 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, Uthamapalayam, Theni District, on condition that each of the petitioners / Accused 1, 2 & 5 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 / Accused 1, 2 & 5 shall report before the respondent Police daily at 06.30 p.m., for a period of two weeks and thereafter as and when required for interrogation.
- (ii) the petitioners / Accused 1, 2 & 5 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / Accused 1, 2 & 5 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 / Accused 1, 2 & 5 in accordance with law as if the conditions have been imposed and the petitioners / Accused 1, 2 & 5 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/-
03/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION, CHINNAMANUR, THENI DISTRICT.

+1. CC to M/S M.KARUPPASAMY PANDIAN Advocate SR.No.6754

akm/05.02.2016/ 2p-6c/NGM/SS/SAR-I

ORDER
IN
CRL OP(MD) No.1688 of 2016
Date :03/02/2016