



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

Monday, the First day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1734 of 2016

1 GANAPATHY
2 POOLPANDI
3 KRISHNASAMY
4 MARI

..PETITIONERS/ACCUSED 2 to 5

Vs.

STATE REP.BY ITS
THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT,
CR NO. 23 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S M.VEILKANI RAJU 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, 448, 323, 324 and 506(ii) I.P.C., in Crime No.23 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.M.Veilkani Raju, learned counsel appearing for the petitioners and Mr.A.P.Balasubramanian, learned Government Advocate (Criminal Side) appearing for the State.

3. It is represented that the injured has been discharged from the hospital.

4. Taking into consideration the fact that the injured has been discharged from the hospital, this Court is of the view that this a fit case to grant anticipatory bail to the petitioners. 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 No.II, Kovilpatti, Tuticorin District, 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 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



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Magistrate concerned and on further condition that:

- (i) the petitioners 2 to 4 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 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]**.

sd/-

01/02/2016

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Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI, TUTICORIN DISTRICT.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT.

+1. CC to M/S M.VEILKANI RAJU Advocate SR.No.6339

akm/03.02.2016/ 2p- 6c/jgb/dp/SAR-I

ORDER

IN

CRL OP (MD) No.1734 of 2016

Date :01/02/2016