



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

Friday, the Nineteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1915 of 2016

WEB COPY

1 M. AUDHINARAYANAN
2 NANDA GOPAL

... PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR NO. 38 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.PALANIVELAYUTHAM Advocate
For Respondent : MR.C.MAYIL VAHANA RAJENDRAN,
Additional Public Prosecutor

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 294(b), 323, 324 and 307 I.P.C., in Crime No.38 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.S.Palanivelayutham, learned counsel appearing for the petitioners / Accused 1 and 2 and Mr.C.Mayil Vahana Rajendran, learned Additional Public Prosecutor appearing for the State.

3. It is represented that the injured has been discharged from the hospital and there is no previous case against the petitioners herein except the present case.

4. Taking into consideration the fact that the injured has been discharged from the hospital, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners / Accused 1 and 2. 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, Valliyoor, Tirunelveli District, on condition that each of the petitioners / Accused 1 and 2 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 second petitioner / second accused shall appear before the learned Judicial Magistrate, Valliyoor, Tirunelveli District, daily at 10.30 a.m., until further orders and the first



WEB COPY

petitioner / first accused shall report before the respondent Police as and when required for interrogation.

(ii) the petitioners / Accused 1 and 2 shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners / Accused 1 and 2 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 and 2 in accordance with law as if the conditions have been imposed and the petitioners / Accused 1 and 2 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/-
19/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S S.PALANIVELAYUTHAM Advocate SR.No.9927

akm/19.02.2016/2p-6c/jgb/dp/SAR-I

ORDER
IN
CRL OP(MD) No.1915 of 2016
Date :19/02/2016