



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

Monday, the Eighth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1922 of 2016

1 T.GANAPATHI
2 P.JEBASINGH

..PETITIONERS/ACCUSED NO.2 & 3

Vs.

STATE REP.BY
THE SUB INSEPCTOR OF POLICE
PROHIBITION AND EXCISE WING,
THUCKALAY, KANYAKUMARI DISTRICT.
CR.NO.64 OF 2016

..RESPONDENT/COMPLAINANT

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 22.01.2016 for the offences punishable under Section 10(1) of TNSPC Rule 1984 r/w 11 of TNP Act and 4(1) of TNP Act in Crime No.64 of 2016, on the file of the respondent police, seek bail.

2. Heard Mr.T.Arul, learned Counsel appearing for the petitioners and Mr.A.P.Balasubramani, learned Government Advocate(Crl.Side) appearing for the State.

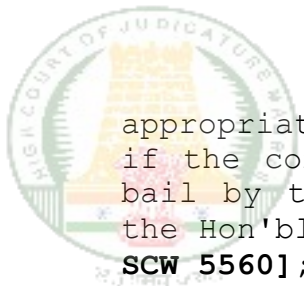
3. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioners are under judicial custody since 22.01.2016, this Court is of the view that this is a fit case to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

(I) Each of the petitioner 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 learned Judicial Magistrate Eraniel;

(ii) the petitioners shall report before the respondent police daily at 06.30 p.m. until further orders.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

<https://hcservices.ecourts.gov.in/hcservices/>
(iv) the petitioners shall not abscond either during investigation or trial. (v) 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]**;

(vi) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioners are complying with the order or not.

sd/-
08/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

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

4 THE OFFICER-IN-CHARGE,
SUB-JAIL, NAGERCOIL.

5 THE SUB INSEPCTOR OF POLICE
PROHIBITION AND EXCISE WING,
THUCKALAY, KANYAKUMARI DISTRICT.

+1. CC to M/S T.ARUL Advocate SR.No.7498

akm/08.02.2016/2p-7c/SKN/SK/SAR-I

ORDER
IN
CRL OP(MD) No.1922 of 2016
Date :08/02/2016