



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) Nos.19748 & 19753 of 2016

KARANTHAMALAI

... PETITIONER / ACCUSED No.2
IN CRL OP(MD) No.19748 /16

KAMALESH

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD) No.19753 /16

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT
CR. NO. 593 OF 2016

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate
IN BOTH THE PETITIONS

For Respondent : Mrs.S.PRABHA, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

Petitioners/A1 and A2 pray for grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 167, 171(e), 177, 408, 420 and 468 IPC in Crime No.593 of 2016 on the file of the respondent police.

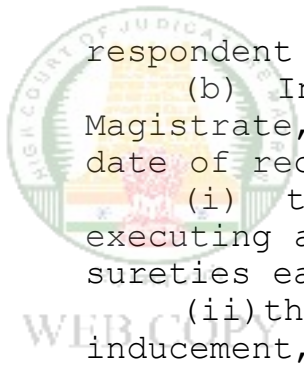
2. The case of the prosecution is that 36 voters' names were removed from the list in part-155 of Veeraperumalpuram Village by receiving bribe.

3. Learned counsel for the petitioners submits that the petitioners have not committed any offence and the evidence are borne out of records and there is no question of tampering the evidence and hence, pray for grant of anticipatory bail.

4. Heard the learned Government Advocate (Crl.Side) on the above submission. On a perusal of Status Report, it is seen that the respondents are trying to collect the forged applications and the petitioners are the Deputy Tahsildar(Election) and the Village Assistant.

5. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the



respondent police;

(b) In the event of appearance before the learned Judicial Magistrate, Thirumangalam, Madurai District, within 15 days from the date of receipt of a copy of the order,

(i) the petitioners shall be enlarged on bail on their executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;

(ii) the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer;

(iii) the petitioners shall appear before the respondent police weekly once i.e on every Monday at 5.00 p.m until further orders.

sd/-

26/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT

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

+2. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.64386-64387

JAM/03.11.16/SK-SKN/SAR I/2P-7C

ORDER

IN

CRL OP(MD)Nos.19748 & 19753 of 2016

Date :26/10/2016