



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

Thursday, the Twentieth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20155 of 2016

1 JEYARAJ,
2 VINOTH,

... PETITIONERS/ ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY ITS,
THE SUB INSPECTOR OF POLICE,
SEIDHUNGANALLUR POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.231/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.DURAI RAJ 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353 and 506 (i) IPC in Crime No.231 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that on the basis of the complaint given by one Sub-Inspector of Police, alleging that the petitioners did not allow him to perform his duty, the present case has been registered.

4. Learned counsel for the petitioners would submit that due to previous motive, the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

5. Learned Government Advocate (Crl. Side) submitted that the accused persons have prevented the Sub-Inspector of Police from performing his official duties and that there is no previous case as against these petitioners.



6. Considering the facts and circumstances of the case and also taking note of the fact that there is no bad antecedents against the petitioners, this Court is of the view that custodial interrogation of the petitioners is not necessary. **Therefore, this Court is inclined to grant anticipatory bail to the petitioners.**

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Srivaikundam, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) **the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;**

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

(iv) the petitioners shall not abscond either during investigation or trial.

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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]**.

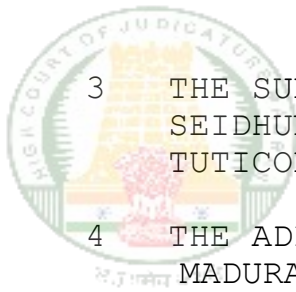
sd/-
20/10/2016

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

AR
TO
1 THE JUDICIAL MAGISTRATE, SIVAIAKUNDAM

<https://hcservices.ecourts.gov.in/hcservices>
2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT



3 THE SUB INSPECTOR OF POLICE,
SEIDHUNGANALLUR POLICE STATION,
TUTICORIN DISTRICT.

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

WEB COPY

+1. CC to M/S.JEYAKARTHIK Advocate SR.No.62120

GJM/CK/SAR-I-7.11.2016-2P-6C

ORDER

IN

CRL OP (MD) No.20155 of 2016

Date :20/10/2016