



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

Tuesday, the Fifteenth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20434 of 2016

1 KARU.PONNUSAMY
2 SUBA.SIVAGNANAM
3 L.PALANICHAMY
4 SUBA.ARUMUGAM
5 PA.SITHANANDAM
6 M.RAMASAMY
7 A.SITHANAN
8 P.GOPALAKRISHNAN

... PETITIONERS/ACCUSED Nos.1 to 8

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ULAGAMPATTI POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.81 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.VADIVELAN Advocate

For Respondent : MRS.S.PRABHA, 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 Section 379 (NP) IPC in Crime No.81 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

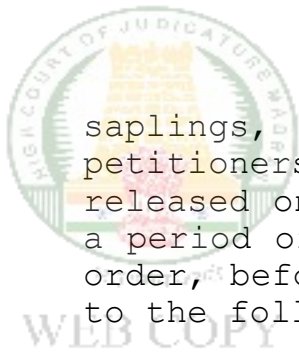
2.Heard the learned counsel on either side.

3.The case of the prosecution is that the petitioners are said to have cut the trees from the Government land.

4.It is the case of the petitioners that they are innocents and they have been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) submitted that the petitioners have cut 30 trees from the Government land and the investigation is pending.

6.taking note of the facts and circumstances of the case and also considering the fact that the petitioners are ready to plant



saplings, this Court inclined to grant anticipatory bail to the petitioners. 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 learned Judicial Magistrate, Thiruppathur, subject to the following conditions:

(i) 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 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. until further orders;

(iii) the petitioners shall jointly or severally plant 300 saplings in places being identified by the authorities concerned and get an acknowledgment in proof thereof;

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

(v) the petitioners shall not abscond either during investigation or trial;

(vi) on breach of any of the aforesaid conditions, the 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 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/-

15/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THIRUPPATHUR,
2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4 THE INSPECTOR OF POLICE, ULAGAMPATTI POLICE STATION,
SIVAGANGAI DISTRICT

+1. CC to M/S.T.VADIVELAN Advocate SR.No.69088.

ORDER

IN

CRL OP(MD) No.20434 of 2016

Date :15/11/2016