



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

Thursday, the Tenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21426 of 2016

1 PERUMAL S/O.SIVARAMAN NADAR
2 MARIAPPAN
3 SUBRAMANIAN
4 MURUGAN
5 PERUMAL S/o.SELVAM

... PETITIONERS/ACCUSED NOS.1,2,3 AND
NOT KNOWN

Vs

THE STATE
REP BY THE INSPECTOR OF POLICE
SERAKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
(CRIME NO.37/2016) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.NATARAJAN Advocate
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

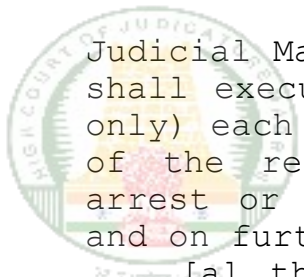
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 3 of TNPPDL Act in Crime No.37 of 2016 on the file of the respondent police, seek anticipatory bail.

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

3. The case of the prosecution is that due to previous enmity, on 15.10.2016, the petitioners said to have entered into the house of the de-facto complainant and caused damage to the tune of Rs.20,000/-.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5. Considering the facts and circumstances of the case and that the petitioner is willing to deposit a sum of Rs.5,000/-, Court is 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 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, Srivaikundam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily at 10.00 a.m. until further orders.

[b] the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the Anbagam, Race Course Road, K.Pudur, Madurai.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

sd/-

10/11/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE INSPECTOR OF POLICE
SERAKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
 5. THE OFFICER-IN-CHARGE, M/S.ANBAGAM,
RACE COURSE ROAD, K.PUDUR, MADURAI
- +1. CC to M/S.V.NATARAJAN Advocate SR.No.67871
RL/7C/2P/KP//AR/CS2/22.11.2016

ORDER

IN

CRL OP(MD) No.21426 of 2016

Date : 10/11/2016