



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

Tuesday, the Ninth day of February Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2334 of 2016

WEB COPY

- 1 JAYA GANESHAN
- 2 N.KANAGARAJ
- 3 S.C.SARAVANAN
- 4 SANKARASEKARAN
- 5 S.RAJAIAH

... PETITIONERS/ACCUSED (RANK NOT KNOWN)

Vs

THE STATE REP.BY THE
THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 908 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.V.ARUN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 294(b), 323 and 506(i) I.P.C., in Crime No.908 of 2015, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.A.V.Arun, learned counsel appearing for the petitioners and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is represented that this is a case and counter. On the complaint lodged by the *de facto* complainant a case, in Crime No.908 of 2015, has been registered against the petitioners herein and on the complaint lodged by the petitioners herein a case, in Crime No.909 of 2015 has been registered against the *de facto* complainant.

4. Taking into consideration the nature of allegations made against the petitioners, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners. Accordingly, they are ordered to be released on bail in the event of 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, Aruppukottai, on condition that 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further



condition that:

- (i) the petitioners shall stay at Srivilliputtur and report before the Srivilliputtur Town Police Station daily morning at 10.30 a.m., and evening at 06.30 p.m., until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-

09/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
SRIVILLIPUTTUR TOWN POLICE STATION, SRIVILLIPUTHUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.V.ARUN Advocate SR.No.7799

ORDER

IN

CRL OP(MD) No.2334 of 2016

Date :09/02/2016

PA/JGB-DP/SAR I/15.02.2016/2P/7C