



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

Thursday, the Fifteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23350 of 2016

1 RAJAN
2 DHANARAJ
3 RAVI BALAN,
4 SELVAM

... PETITIONER/ACCUSED NO.1 TO 4

Vs

THE STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE,
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.35 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.THIRUVADIKUMAR Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

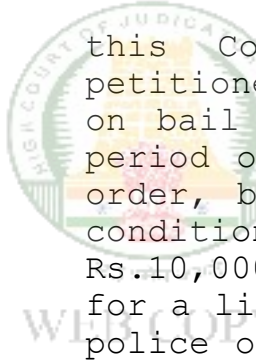
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 420, 506(i) and Section 379 (NP) of I.P.C., in Crime No.35 of 2016, seek anticipatory bail.

2. The learned counsel appearing for the petitioners states that the present complaint is the third complaint against the petitioners herein and the earlier complaint was enquired, as per the direction given by this Court in Crl.O.P.(MD).No.12122 of 2016 and it was closed as 'civil in nature'. Prior to that, the complainant has not taken any steps in respect of the complaint in the year 2005. The present complaint is registered as per the order of the Judicial Magistrate Court. It is also admitted that in criminal case initiated against the petitioners in C.C.No.131 of 2006, compromise entered between the parties.

3. The learned Government Advocate (Crl.side) states that totally there are six accused in this case and the petitioners herein are A1 to A4 and A5 and A6 are still absconding.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Considering the above facts and circumstances of the case,



this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners 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 No.II, Kovilpatti 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 10.30 a.m. until further orders.

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

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

[d] 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/-
15/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
NARAIKINARU POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADIKUMAR Advocate SR.No.81306
AKV
CSL/SKN/SAR-II/21.12.2016: 2P/6C

ORDER
IN
CRL OP (MD) No.23350 of 2016
Date :15/12/2016