



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

Thursday, the Third day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3638 of 2016

WEB COPY

1 J. KATHIRES
2 T.J. SHIVAKUMAR
3 J. SURIYA KUMARAI

... PETITIONERS/ACCUSED 1 TO 3

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
(CRIME NO. 118 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.N.DILIP KUMAR 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 :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 286, 337 I.P.C., and Section 9(B)(1)(a) of the Explosives Act, in Crime No.118 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.N.Dilip Kumar, learned counsel appearing for the petitioners / accused 1 to 3 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is represented that the victims have been suffered only simple injuries and they have been discharged from the hospital after treatment.

4. Taking into consideration the above facts, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners / accused 1 to 3. 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, Sivakasi, on condition that each of the petitioners / accused 1 to 3 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:

<https://hcservices.ecourts.gov.in/hcservices/> petitioners 1 and 2 / accused 1 and 2 shall report before the respondent Police daily at 06.30 p.m., until further orders and the third



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petitioner / third accused shall report before the respondent Police as and when required for interrogation.

(ii) the petitioners / accused 1 to 3 shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners / accused 1 to 3 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 / accused 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 to 3 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/-
03/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
SIVAKASI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

+1CC to M/S.N.DILIP KUMAR Advocate SR.No.12292

akm/04.03.2016/2p-6c/AAL/MPA/AR-I

ORDER
IN
CRL OP(MD) No.3638 of 2016
Date :03/03/2016