



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

Wednesday, the Second day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.3691 of 2016

1 SURESH
2 VELLAICHAMY
3 APPAVU
4 THANGARAJ
5 RAJA
6 SIVA

..PETITIONERS/ACCUSED NOS.1,4,5,6,7 AND 8

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT,
CR NO.29 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S D.SELVARAJ 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 :-

Apprehending arrest at the hands of the respondent police in Crime No.29 of 2016 for offence under Section 366(A) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

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

3.When the matter was taken up for hearing, the learned Government Advocate submitted that the girl has been secured and was produced before the Division Bench in HCP (MD) No.93 / 2016 on 22.02.2016. The Division Bench has also directed the respondent police to arrest the prime accused. The learned Government Advocate submitted that Suresh/the prime accused has been arrested on 26.02.2016 and he has been remanded to judicial custody. The parents of Suresh, namely, A2 and A3 have also been arrested on 21.02.2016. The petitioners 2 to 6 are relatives of the prime accused Suresh. Taking into consideration the nature of the allegations against the petitioners 2 to 6, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioners 2 to 6, but with conditions.

<https://hcservices.ecourts.gov.in/hcservices/>
Accordingly, the petitioners 2 to 6 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 District Munsif cum Judicial Magistrate, Natham, on executing a separate 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 learned Magistrate concerned and on further condition that,

[a] the petitioners 2 to 6 shall report before the respondent police everyday at 6.30 p.m. until further orders.

[b] the petitioners 2 to 6 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 to 6 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 2 to 6 in accordance with law as if the conditions have been imposed and the petitioners 2 to 6 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners 2 to 6 are complying with the condition or not.

5. As far as the 1st petitioner/Suresh is concerned, this petition is dismissed, since he was arrested and remanded to judicial custody.

sd/-

02/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, NATHAM.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S D.SELVARAJ Advocate SR.No.12001

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

ORDER

IN

CRL OP(MD) No.3691 of 2016

Date :02/03/2016