



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

Monday, the Seventh day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

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CRL OP(MD) No.4022 of 2016

1 B. JAYACHANDRAN

2 M. THANGAMANI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE

MALLANKINARU POLICE STATION,

MALLANKINARU,

VIRUDHUNAGAR DISTRICT.

(CRIME NO. 31/16)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THIRUVARUTSELVAN 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 294(b), 323 and 506(i) I.P.C., in Crime No.31 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.G.Thiruvarutselvan, learned counsel appearing for the petitioners / accused 1 and 2 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. Taking into consideration the fact that there is no previous case as against the petitioners / accused 1 and 2 except the present case and the nature of allegations made against them, this Court is of the view that this is a fit case to grant anticipatory bail to them. 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 No.II, Virudhunagar**, on condition that each of the petitioners / accused 1 and 2 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 / accused 1 and 2 shall report before the respondent Police as and when required for interrogation.



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- (ii) the petitioners / accused 1 and 2 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 1 and 2 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 and 2 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 and 2 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]**.

4. 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/-
07/03/2016

**(*)Amended as per the order of this
Hon'ble Court dated 01.04.2016 and Made
in CrI.MP(MD)No.2830/2016
in CrI.OP(MD)No.4022/2016**

()Two weeks time, from the date of
receipt of a copy of the amended order,
is extended for furnishing sureties.**

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

TO

1. **(*)Judicial Magistrate No.II,Virudhunagar**
- 2 THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI
- 3 THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 4 THE INSPECTOR OF POLICE
MALLANKINARU POLICE STATION,
MALLANKINARU,VIRUDHUNAGAR DISTRICT.
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No.18388

ORDER
IN
CRL OP(MD) No.4022 of 2016
Date :07/03/2016