



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

Thursday, the Seventeenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4712 of 2016

1 S. THANGARAJA

2 S. PAULKILI

... PETITIONERS/ACCUSED NO.1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE

SUCHINDRUM POLICE STATION,

KANYAKUMARI DISTRICT,

(CRIME NO. 98 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.T.RAMESH RAJA 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.98 of 2016, on the file of the respondent police for offences under Sections 452, 294(b), 323, 427, 365 and 506(ii) IPC, Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 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.Taking into consideration the nature of the allegation against these petitioners in the FIR and the de-facto complainant is the sister of these petitioners, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.

4. 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.III, Nagercoil, 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 shall report before the respondent police



everyday at 6.30 p.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]**.

[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 are complying with the condition or not.

sd/-

17/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
SUCHINDRUM POLICE STATION, KANYAKUMARI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.15244

ORDER

IN

CRL OP(MD) No.4712 of 2016

Date : 17/03/2016

AA/SKS-RR/AR-I/22.03.2016/2p-6c