



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

Wednesday, the Thirtieth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5450 of 2016

WEB COPY

RAMANATHA SETHUPATHI

... PETITIONER/ACCUSED No.4

Vs

STATE REP BY THE INSPECTOR OF POLICE
NAGUDI POLICE STATION,
PUDUKOTTAI DISTRICT,
CR NO. 129 OF 2012.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.RAMASAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

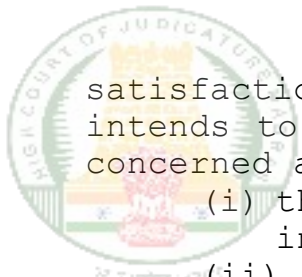
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 447, 294(b), 323, 427 and 506(i) I.P.C., in Crime No.129 of 2012, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.S.Ramasamy, learned counsel appearing for the petitioner / fourth accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that this is a case and counter and the counter case has been registered in Crime No.130 of 2012. Further, the investigation, in Crime No.129 of 2012, has been completed and final report has been filed before the learned Judicial Magistrate, Aranthanki, in S.T.C.No.442 of 2013, wherein the petitioner herein has been shown as absconding accused and the investigation, in Crime No.130 of 2012, has been completed and final report has also been filed before the very same Court in S.T.C.No.161 of 2013.

4. Taking into consideration the above facts and the nature of allegations made against the petitioner / fourth accused, this Court is of the view that this is a fit case to grant anticipatory bail to him. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthanki, on condition that the petitioner / fourth accused 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 petitioner / fourth accused shall participate in the trial before the Trial Court.
- (ii) the petitioner / fourth accused shall report before the respondent Police as and when required for interrogation.
- (iii) the petitioner / fourth accused shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner / fourth accused shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / Accused in accordance with law as if the conditions have been imposed and the petitioner / Accused 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 petitioner is complying with the conditions or not.

sd/-
30/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARANTHANGI
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI
- 3 THE INSPECTOR OF POLICE, NAGUDI POLICE STATION,
PUDUKOTTAI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.RAMASAMY Advocate SR.No.17651

ORDER
IN
CRL OP(MD) No.5450 of 2016
Date :30/03/2016

AA/GSV-PM/SAR-I/04.04.2016/2p-6c