



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

Thursday, the Thirty First day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5511 of 2016

1 ARUL MOZHI
2 RAVICHANDRAN

... PETITIONERS / ACCUSED No.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.
IN CR.NO. 24 /2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.ARUN PRASAD Advocate

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

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

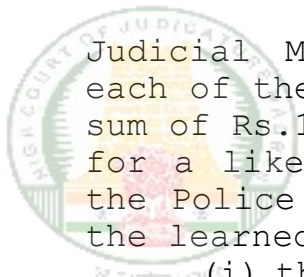
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 120(B), 465, 469, 471, 506(i) r/w 109 I.P.C., in Crime No.24 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.A.Arun Prasad 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. It is seen that the case, in Crime No.24 of 2016, has been registered pursuant to the directions issued by the learned Judicial Magistrate No.II, Thanjavur, under Section 156 (3) Cr.P.C. Further, it is seen that the petitioners / accused 1 and 2 are teachers and the *de facto* complainant is also a teacher. It is alleged by the *de facto* complainant that the petitioners / accused 1 and 2 had sent anonymous letters to the higher officials, on account of which, the *de facto* complainant suffered serious prejudice and harassment.

4. Taking into consideration the nature of allegations made against the petitioners / accused 1 and 2, 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, Thanjavur District, 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 second petitioner / second accused shall report before the respondent Police daily at 06.30 p.m., until further orders and the first petitioner / first accused shall report before the respondent Police as and when required for interrogation.
- (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]**.

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/-
31/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR DISTRICT.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION, THANJAVUR DISTRICT.

+1. CC to M/S A.ARUN PRASAD Advocate SR.No.18132

RG.SK-SKN/SAR-I 01.04.2016 2P.6C

ORDER
IN
CRL OP(MD) No.5511 of 2016
Date :31/03/2016