



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.5547 of 2016

1 ARUNAGIRISAMY

2 SERMAKANI

3 SUBBAMMAL

... PETITIONERS/ACCUSED Nos. 1 to 3

Vs

STATE REP BY THE INSPECTOR OF POLICE

SERNTHAMARAM POLICE STATION,

SERNTHAMARAM,

TIRUNELVELI DISTRICT.

(CRIME NO. 68 OF 2016) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.SUKUMAR 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 :-

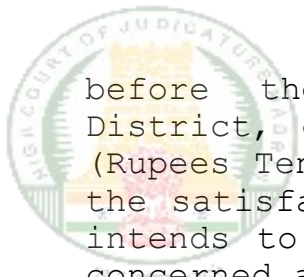
Apprehending arrest at the hands of the respondent police in Crime No.68 of 2016, on the file of the respondent police for offences under Sections 294(b), 323, 506(i) IPC and Section 4 of Tamil Nadu Woman Harassment Act, the petitioners are now before this Court seeking Anticipatory Bail.

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

3.It is seen that no one sustained serious injury and the dispute is between the neighbours. It is submitted that there is no previous case against the petitioners.

4.Taking into consideration the nature of the allegation against the petitioners and the fact that no one sustained serious injury, 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.

5. Accordingly, the petitioner is 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, Tenkasi, Tirunelveli District, 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,

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(a) the 1st petitioner shall report before the respondent Police every day at 6.30 p.m. until further orders. The petitioners 2 and 3 shall report before the respondent police as and when required for interrogation.

[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 Government Advocate (Crl. Side) as to whether the 1st petitioner is complying with the condition or not.

sd/-

31/03/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
SERNTHAMARAM POLICE STATION,
SERNTHAMARAM, TIRUNELVELI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.SUKUMAR Advocate SR.No.18519

ORDER

IN

CRL OP (MD) No.5547 of 2016

Date : 31/03/2016

AA/AAL-MPA/AR-I/07.04.2016/2p-6c