



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

Thursday, the Seventh day of April Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5853 of 2016

1 R. RAMAR
2 SAMUEL
3 UDHAYARAJ
4 A. SIVA

... PETITIONERS/ACCUSED 3 TO 6

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
SAPTOOR POLICE STATION,
MADURAI,
CRIME NO. 62 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.GURURAJ 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 :-

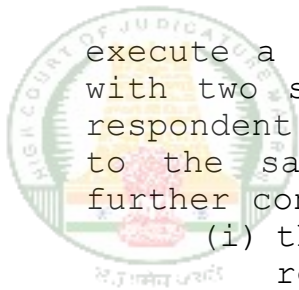
The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 468, 471 and 379 I.P.C., in Crime No.62 of 2016, on the file of the respondent police, seek anticipatory bail.

2. Heard Mr.M.Gururaj, learned counsel appearing for the petitioners / accused 3 to 6 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that there is one previous case as against the first petitioner / third accused and he is convicted by the Court below in S.T.C.No.849 of 2013.

4. Taking into consideration the above facts and the nature of allegations made against the first petitioner / third accused, this Court is not inclined to grant anticipatory bail to him. Accordingly, this criminal original petition is dismissed as against the first petitioner / third accused.

5. As regards the petitioners 2 to 4 / accused 4 to 6 are concerned, taking into consideration the nature of allegations made against them, this Court is inclined 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, Peraiyur, Madurai District, on condition that each of the petitioners 2 to 4 / accused 4 to 6 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 2 to 4 / accused 4 to 6 shall report before the respondent Police daily at 06.30 p.m., until further orders.
- (ii) the petitioners 2 to 4 / accused 4 to 6 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 2 to 4 / accused 4 to 6 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 2 to 4 / accused 4 to 6 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 / accused 4 to 6 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]**.

6. 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 2 to 4 / accused 4 to 6 are complying with the conditions or not.

7. The criminal original petition is dismissed as against the first petitioner / third accused.

sd/-
07/04/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, SAPTOOR POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.GURURAJ Advocate SR.No.19789

ORDER

IN

CRL OP(MD) No.5853 of 2016

Date : 07/04/2016