



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

Monday, the First day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.623 of 2016

1 AMALARANI
2 SAGAYA MARY

... PETITIONERS/ACCUSED NO.1 & 3

Vs

STATE REP BY THE INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO.857 OF 2015. ... RESPONDENT/COMPLAINANT

M.RAJA ... INTERVENOR

For Petitioner : M/S V.RAJIV RUFUS Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
For Intervenor : MR.D.RAMESH KUMAR Advocate

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

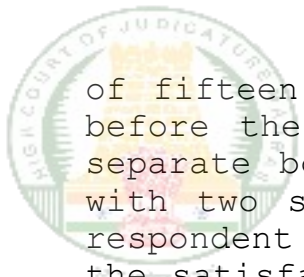
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.857 of 2015, on the file of the respondent police for offences under Sections 420 and 506(i) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

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

3.It is seen that the de-facto complainant and the petitioners/accused had land dealings way back in the year 2013 and there seems to have developed certain misunderstanding, on account of which, cases have been registered against the de-facto complainant at the instance of the petitioners herein. On a reading of the FIR, in Crime No.857 of 2015, this Court is of the opinion that the dispute is essentially on account of business misunderstanding and hence, it is a fit case to grant anticipatory bail, 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, Karaikudi, 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 every day at 6.30 p.m. for a period of two weeks and thereafter 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 learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-

01/02/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S V.RAJIV RUFUS Advocate SR.No.6109

ORDER

IN

CRL OP(MD) No.623 of 2016

Date :01/02/2016

AA/GSV-AN/SAR-I/03.02.2016/2p-6c