



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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.7397 of 2016

1 RAJKAMAL
2 LOGESH

... PETITIONERS / ACCUSED No.3,4

Vs

The State rep.by
THE INSPECTOR OF POLICE
RAMESHWARAM POLICE STATION (JETTY),
RAMESHWARAM, RAMNAD DIST,
CR.NO.44/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUAMR Advocate

For Respondent : Mr.A.P.Balasubramani Govt. Advocate (Crl. Side)

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

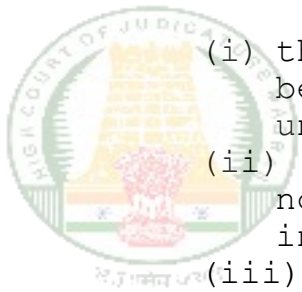
ORDER : The Court Made the following order :-

The petitioners/Accused Nos.3 and 4, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 294(b), 307, 379 IPC read with Section 3 of TNPPDL Act, 1992, in Crime No.44 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.A.Uthayakumar, learned counsel appearing for the petitioners / Accused Nos.3 and 4 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is submitted by the learned Government Advocate (Criminal side) that there is no previous case as against the petitioners and no one has been injured in the alleged occurrence.

4. Taking into consideration the nature of allegations made against the petitioners in the First Information Report and also the fact that there is no previous case as against the petitioners, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners / Accused Nos.3 and 4. 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, Muthukulathur, Ramnad District, on condition that each of the petitioners 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 / Accused Nos.3 and 4 shall report before the respondent Police daily at 06.30 p.m., until further orders.
- (ii) the petitioners / Accused Nos.3 and 4 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / Accused Nos.3 and 4 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 Nos.3 and 4 in accordance with law as if the conditions have been imposed and the petitioners / Accused Nos.3 and 4 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/-

04/05/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKULATHUR, RAMNAD DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
RAMESHWARAM POLICE STATION (JETTY),
RAMESHWARAM, RAMNAD DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUAMR Advocate SR.No.25865

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ORDER
IN
CRL OP(MD) No.7397 of 2016
Date :04/05/2016