



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

Wednesday, the Eleventh day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice P.KALAIYARASAN

CRL OP(MD) No.7996 of 2016

1 P. NAGALINGAM
2 SENTHILKUMAR
3 SHANTHI
4 NEDUNCHEZHIAN
5 JOTHI
6 VIJAYA
7 PRAKASH @ PRABHAKARAN
8 BANUMATHI
9 VELLAISAMY
10 MANICKAVALI
11 THOPPULAN KUMAR

...PETITIONERS/ACCUSED NO 1 TO 7

... PETITIONERS/ ACCUSED NO.8 TO 11

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NERKUPPAI POLICE STATION,
SIVAGANGAI DISTRICT.
(IN CRIME NUMBER 41 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.RAMASUBRAMANIAN 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 apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 120(b), 506(ii) and 379(NHS) of IPC, in Crime No.41 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard both sides.

3. The learned Government Advocate (Criminal Side) submitted that the injured discharged from the hospital.

4. Taking into consideration the above fact, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners. 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 arrest, to produce before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten



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thousand only) each 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 1,2,4,7,9 and 11 shall report before the respondent Police daily at 10.30 a.m., for a period of one month and thereafter they shall report before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, once in a week for a period of one month i.e., on every Monday at 10.30 a.m. The other petitioners shall report before the respondent police, as and when required.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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 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].

sd/-
11/05/2016

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

TO

1 THE JUDICIAL MAGISTRATE, THIRUPPATHUR,
SIVAGANGAI DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
NERKUPPAI POLICE STATION,
SIVAGANGAI DISTRICT.

+1. CC to M/S M.RAMASUBRAMANIAN Advocate SR.No.26247.

ORDER
IN
CRL OP(MD) No.7996 of 2016
Date :11/05/2016

AM/JGB.SS/SAR-I/12.05.2016/2P/6C