



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.8015 of 2016

WEB COPY

1 SUNDARALINGA POTHU
2 MURUGAN
3 SUDALAIKAN
4 KANNAN
5 SINHA @ CHINNADURAI
6 SUYAMBU
7 KUMAR
8 SILAMBU SELVAM
9 SUBBAIAH ... PETITIONERS / ACCUSED No.2,5 to 7,12,13,15,16 & 18

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT,
CR. NO.104 OF 2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.ANGAPPAN Advocate
For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)
For Intervener : Mr.BALAKRISHNAN, Advocate

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), 452, 323, 324, 307 and 506(ii) of IPC and r/w Section 3 of TNPPDL Act, in Crime No.104 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 co-accused have already released on bail.

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 receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten 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



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satisfaction of the learned Magistrate concerned and on further condition that:

- (i) Each of the petitioners shall deposit a sum of Rs.5,000/- (Rupees five thousand only) before the learned Judicial Magistrate, Nanguneri, Tirunelveli District, to the credit of Crime No.104 of 2016, without prejudice to their defence, within two weeks from the date of receipt of a copy of this order.
- (ii) the petitioners 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, Nanguneri, Tirunelveli District, once in a week for a period of one month i.e., on every Monday at 10.30 a.m.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial.
- (v) 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

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI, TIRUNELVELI DISTRICT.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
THISAYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S S.ANGAPPAN Advocate SR.No.26259
RG.GSV-SAR-I 13.05.2016 2P.6C

ORDER
IN
CRL OP(MD) No.8015 of 2016
Date : 11/05/2016