



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

Thursday, the Nineteenth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.8026 of 2016

1 MARY,
2 ELIZABETH,
3 PONRAJ,
4 MOSES,
5 PETCHITHURAI,
6 SELVARAJ,
7 VASANTHAKUMAR,
8 RAMESH,
9 PONRAJ,
10 SHANMUGASUNDARAM,
11 HERLIN,

... PETITIONERS/ ACCUSED NO.1 TO 11

Vs

THE STATE, REP.BY
THE SUB INSPECTOR OF POLICE,
ALWARTHIRUNAGARI POLICE STATION
TIRUCHENDUR TALUK,
THOOTHUKUDI DISTRICT.
CRIME NO.82 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S B.JEYAKUMAR Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

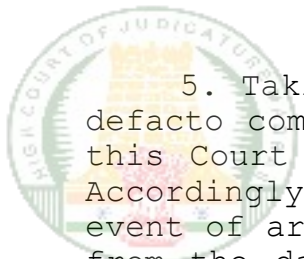
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 447, 294(b), 341, 506(ii) and 379 I.P.C. (NHO) and Section 4 of TNPWH Act in Crime No. 82 of 2016 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent and they have nothing to do with the alleged occurrence and hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the petitioners are A.1 to A.11 and all are close relatives to the defacto complainant and there is a civil dispute between them.



5. Taking into consideration the fact that the petitioners and the defacto complainant are close relatives and they have a civil dispute, this Court is inclined to grant anticipatory bail to the petitioners. 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, Srivaikundam, on condition that each of the petitioner 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 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 daily at 10.30 a.m. until further orders;

[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 Judicial 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 Judicial 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) whether the petitioners are complying with the order or not.

sd/-

19/05/2016

/ TRUE COPY /

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

SSL

TO

1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE SUB INSPECTOR OF POLICE, ALWARTHIRUNAGARI POLICE STATION
TIRUCHENDUR TALUK, THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S V.NATARAJAN Advocate SR.No.26568

ORDER

IN

CRL OP(MD) No.8026 of 2016

Date :19/05/2016