



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

WEB COPY

CRL OP(MD) Nos.8089, 8090, 8094, 8095 of 2016

P. DHANASINGH ... PETITIONER/ACCUSED NO.2
IN BOTH PETITIONS

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ELASEMBUR POLICE STATION,
ELASEMBUR,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 8 OF 2014
IN CRL OP(MD)NO.8089/2016
(CRIME NO. 55 OF 2014
IN CRL OP(MD)NO.8090/2016)
(CRIME NO. 36 OF 2012
IN CRL OP(MD)NO.8094/2016

... RESPONDENT / COMPLAINANT
IN CRL OP(MD) NO.8089, 8090,8094/2016

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
MUDHUKULATHUR
RAMANATHAPURAM DISTRICT.
(CRIME NO. 85 OF 2009

.. RESPONDENT/COMPLAINANT
IN CRL OP(MD)NO.8095/2016

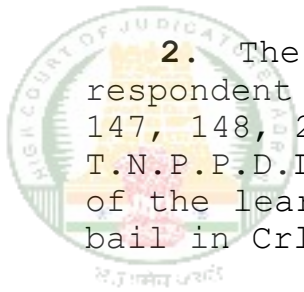
For Petitioner : M/S.A.THIRUMURUGAN Advocate IN BOTH THE PETITIONS

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C., in C.C.No.191 of 2014, on the file of the learned Judicial Magistrate, Mudukulathur, seeks anticipatory bail in Crl.O.P.(MD) No.8089 of 2016.



2. The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 294(b), 341, 323, 324, 326, 307 and 506(ii) I.P.C., 3(1) of T.N.P.P.D.L. Act r/w 109 I.P.C., in P.R.C.No.47 of 2014, on the file of the learned Judicial Magistrate, Mudukulathur, seeks anticipatory bail in CrI.O.P.(MD) No.8090 of 2016.

3. The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 323 and 324 I.P.C., in C.C.No.38 of 2014, on the file of the learned Judicial Magistrate, Mudukulathur, seeks anticipatory bail in CrI.O.P.(MD) No.8094 of 2016.

4. The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 323 and 324 I.P.C., in C.C.No.111 of 2014, on the file of the learned Judicial Magistrate, Mudukulathur, seeks anticipatory bail in CrI.O.P.(MD) No.8095 of 2016.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

6. It is represented by the learned Government Advocate (Criminal Side) that the above cases have been charge sheeted and taken on file by the learned Judicial Magistrate, Mudhukulathur. Further, it is represented that during the course of trial, the petitioner did not appear before the learned Trial Judge, resulting in the learned Trial Judge issuing non-bailable warrant against the petitioner in all the cases.

7. Taking into consideration the above fact, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mudukulathur, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two common 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 petitioner shall report before the concerned Court daily at 10.30 a.m., until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner 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]**.

8. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
19/05/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR
 - 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
 - 3 THE INSPECTOR OF POLICE, ELASEMBUR POLICE STATION,
ELASEMBUR, RAMANATHAPURAM DISTRICT.
 4. THE INSPECTOR OF POLICE, MUDUKULATHUR POLICE STATION,
MUDHUKULATHUR, RAMANATHAPURAM DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +4. CC to M/S R.SHANKAR GANESH Advocate SR.No.26634, 26635,
26636, 26637

ORDER
IN
CRL OP(MD) Nos.8089, 8090,
8094, 8095 of 2016
Date :19/05/2016

GJM/PM/DP/SAR-III-23.08.2016-3P-10C