



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

**The Hon`ble Ms.Justice V.M.VELUMANI**

CRL OP (MD) No.9563 of 2016

1 AYYASAMY @ AYYARSAMY  
2 MURUGAN

... PETITIONERS/ACCUSED 5 & 6  
Vs

STATE REB.BY  
THE INSPECTOR OF POLICE  
THIRUPPATHUR TOWN POLICE STATION,  
THIRUPPATHUR TALUK,  
SIVAGANGAI DISTRICT.  
CR.NO. 15/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S B.SUTHASATHYANANTH Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

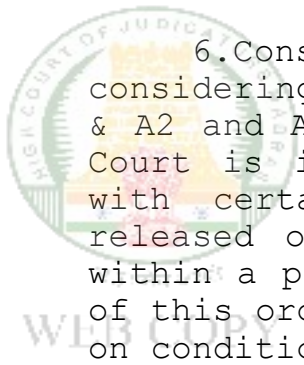
The petitioners, who are arrayed as Accused Nos.5 & 6, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 380 of IPC, in Crime No.15 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused persons stolen the Silk Sarees from the defacto complainant's shop worth about Rs.57,000/- and the same was recovered from A1 & A2.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

4.The learned counsel for the petitioners submitted that A1 & A4 were already arrested and enlarged on bail.

5.It is submitted by the learned Government Advocate (Crl.Side) that the properties have been recovered from A1 & A2 and the petitioners are not having any previous case.



6. Considering the facts and circumstances of the case and also considering the fact that the properties have been recovered from A1 & A2 and A1 & A4 were already arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. 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, Thiruppathur, 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 shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (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]**.

7. 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/-  
30/06/2016

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

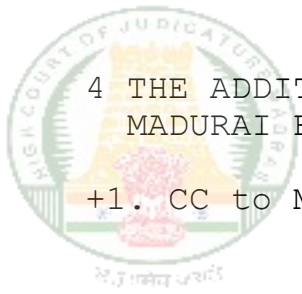
TO

1 THE JUDICIAL MAGISTRATE, THIRUPPATHUR.

2 DO THROUH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE INSPECTOR OF POLICE, THIRUPPATHUR TOWN POLICE STATION,  
THIRUPPATHUR TALUK, SIVAGANGAI DISTRICT.



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

+1. CC to M/S B.SUTHASATHYANANTH Advocate SR.No.34167

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SDR/GSV-PM/SAR II/04.07.2016/3P/6C

ORDER

IN

CRL OP(MD) No.9563 of 2016

Date :30/06/2016