



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

Friday, the Tenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.2693 of 2017

1 KANNAN
2 VIJAYAKUMAR

... PETITIONERS / ACCUSED NO 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION,
KARUR,
CR NO. 183/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESH KUMAR Advocate

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

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

ORDER : The Court Made the following order :-

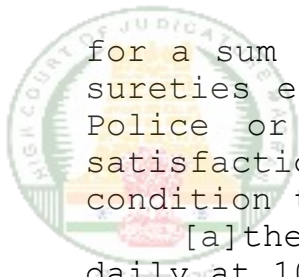
The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent Police for the offence punishable under Section 7(1) (a) (i) and Section 25 of Essential Commodities Act, 1955 and Section 420 of IPC., in Crime No.183 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have possessed adulterated oil which is used for the purpose of motorcycle.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and for statistical purpose only they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) on instructions would submit that on information the respondent police found that the petitioners are in possession of adulterated oil. He further submitted that they have no previous cases.

5.Considering the facts and circumstances of the case and also taking note of the fact that no specific overt act attributed against these petitioners, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Karur, 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 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 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/-

10/03/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I
KARUR

2.-DO-THRO THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT

3.THE INSPECTOR OF OLICE
PASUPATHIPALAYAM POLICE STATION, KARUR.

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

+1. CC to M/S.D.RAMESH KUMAR Advocate SR.No.13986

ORDER

IN

CRL OP(MD) No.2693 of 2017

Date :10/03/2017

MAS/BS/SAR3:20.03.2017:2P-6C