



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4056 of 2017

1 RAJIV GANDHI
2 SAKTHIKUMARAN
3 VIGESH

... PETITIONERS / ACCUSED no.1 TO 3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
KALAKAD POLICE STATION, KALAKAD
(IN CRIME NO.53/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.MOHAMED YUSUF 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 are arrayed as accused Nos.1 to 3, in Crime No.53 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 379 IPC and hence, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that considering the facts and circumstances of the case, this Court had already granted anticipatory bail to the petitioners in Crl.O.P(MD) No.1653 of 2017, vide order dated 16.02.2017 on condition that the petitioners shall execute sureties within a period of fifteen days from the date on which the order copy made ready, failing which the petition for anticipatory bail stands dismissed. But the petitioners could not execute the sureties within the time prescribed by this Court. Hence, the petitioners have come up with this petition for anticipatory bail. He further submitted that, when the matter came up for hearing on 18.04.2017, this Court directed the petitioners to pay a sum of Rs.500/- each in the account opened in the name of the Registrar (Administration), (for removal of Prosopis Juli Flora (Karuvelam Trees), Savings Bank Account No.6514082295, Indian Bank, Madurai Bench of Madras High Court, Madurai on or before 21.04.2017. Thereafter, when the matter came up for hearing on 21.04.2017, the



learned counsel for the petitioners represented that due to inadvertence, the petitioners have paid a sum of Rs.500/- collectively and that they would pay a sum of Rs.500/- individually. Hence, the matter is listed today. Today, the learned counsel for the petitioners submitted that the petitioners had complied with the said direction and a cost memo has also been filed to that effect.

3. The learned Government Advocate(Crl. Side) affirms the above said fact.

4. This Court heard the submissions made on either side and perused the order passed in Crl.O.P(MD)No.1653 of 2017, dated 16.02.2017.

5.Considering the facts and circumstances of the case and also considering the fact that this Court had already granted anticipatory bail to the petitioners in Crl.O.P(MD)No.1653 of 2017, dated 16.02.2017, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Nanguneri, Tirunelveli District and on each of them executing 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 learned Magistrate concerned and on further condition that the first and third petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation. The second petitioner shall appear before the respondent Police once in a week I.e., on every Sunday at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/04/2017

/ TRUE COPY /

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



TO

5 THE JUDICIAL MAGISTRATE, NANGUNERI, TIRUNELVELI DISTRICT

6 -do-thro THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
KALAKAD POLICE STATION, KALAKAD

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

+1. CC to M/S.A.MOHAMED YUSUF Advocate SR.No.21765

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ORDER

IN

CRL OP (MD) No.4056 of 2017

Date :28/04/2017