



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

Friday, the Sixteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.7373 of 2017

1 NAMBI @ NAMBIRAJAN
2 ESAKKIDURAI @ RAVI

... PETITIONERS/ACCUSED NO.2 & 3

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.35/2017

... RESPONDENT

For Petitioner : M/S.N.SYED ALI Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

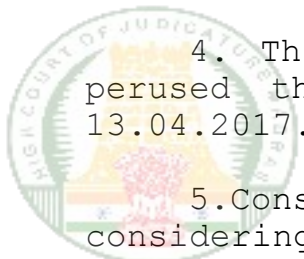
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 & 3, in Crime No.35 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 294(b), 341, 406 & 506(ii) 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.4431 of 2017, vide order dated 13.04.2017, on condition that the petitioners shall execute sureties within a period of fifteen days from the date on which the order copy made ready. Since the name of the second petitioner has been wrongly mentioned in the earlier petition, the learned Magistrate refused to accept the sureties and thus, 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.

3. The learned Additional Public Prosecutor affirmed the above said fact.



4. This Court heard the submissions made on either side and perused the order passed in CrI.O.P(MD)No.4431 of 2017, dated 13.04.2017.

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 CrI.O.P(MD)No.4431 of 2017, dated 13.04.2017, 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, Tenkasi and on each 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 petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of four 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 shall stand automatically dismissed.

sd/-
16/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SYED ALI Advocate SR.No.24345

GCG
CSL/PM-PN/SAR-I/20.06.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.7373 of 2017
Date : 16/06/2017