



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.475 of 2018

1 RASATHI,
2 MADASAMY,

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
IRUKKANKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.156/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ILAYARAJA Advocate

For Respondent : M/S.S.BHARATHI Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 188 and 353 of IPC, in Crime No.156 of 2016, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and other villagers made a protest against the respondent police with the corpus of one Pandeewari. The petitioners and others made allegation that due to the arrest of her husband, the said Pandeewari died on frustration. Hence, the present complaint has been registered for the above said offences.

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. He would further submitted that the petitioners have been falsely implicated in this case and prays for anticipatory bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent on instructions, would submit that after completion of investigation, charge sheet has been filed.



5. The submission made by either side is considered. As of now, charge sheet has been filed, after completing investigation. Other accused persons in this case are all released on bail as per the order passed by this Court in CrI.O.P.(MD).No.22954 of 2016, dated 05.12.2016. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 on which the order copy is made ready, before the learned Judicial Magistrate No.II, Sattur, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 investigation officer, daily at 10.00 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(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) the petitioners shall not commit any offence while on bail;

(v) 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 petitioner 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/-
10/01/2018

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE NO.II, SATTUR

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
IRUKKANKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.R.ILAYARAJA Advocate SR.No.525

GJM/CM/VR/SAR-O-12.1.18-3P-6C

ORDER
IN
CRL OP (MD) No.475 of 2018
Date :10/01/2018