



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7632 of 2018

1 THANGAMANICKAM
2 RAJASEKAR

... PETITIONERS/ACCUSED NO.1 & 2

Vs

STATE REP.BY
THE INSEPCTOR OF POLICE
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO. 64/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.C.SUSI KUMAR Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

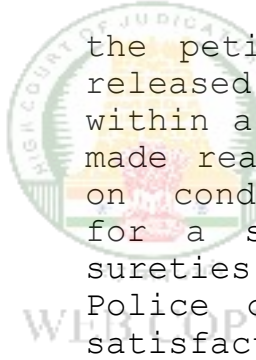
The petitioners/ A1 and A2, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 341, 294(b), 506(ii) of IPC and Section 3 of Tamil Nadu Public Property Prevention of Damage and Loss Act, in Crime No.64 of 2018, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioners are said to have intercepted the Auto belonging to the defacto complainant with deadly weapons and caused damage worth about Rs.2,000/-. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police would submit that the petitioners are not having any previous case and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are not having any previous case, 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, Muthukulathur, on condition that the 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 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/-
09/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUTHUKULATHUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSEPCTOR OF POLICE, SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

TRP/GNS
GJM/CM/VK/09.05.2018-2P-5C

ORDER
IN
CRL OP(MD) No.7632 of 2018
Date :09/05/2018