



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

Wednesday, the Twelfth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21962 of 2018

1 ARULMURUGAN

2 GANESAN

... PETITIONERS / ACCUSED NO. 2 & 3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

AYYAPURAM POLICE STATION, AYYAPURAM,

THIRUVENKADAM TALUK, TIRUNELVELI DISTRICT.

(IN CRIME NO.117 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.INDRACHITHU Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners/Accused 2 & 3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 342, 323, 506(i) I.P.C, in Crime No.117 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners are employees of a Primary Agricultural Co-operative Society. The defacto complainant is the President of the Society. There is a dispute between them with regard to the working condition of employment in the Society.

3.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that this is a case and counter case and in both the cases, investigation is going on.

4.Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions;

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, on condition that the petitioners shall each 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 learned Magistrate concerned and on further condition



[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

12/12/2018

/ TRUE COPY /

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

TO

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

+1. CC to MR.T.INDRACHITHU Advocate SR.No.23131
PS/JC/SAR-3/19.12.2018/2P/6C

ORDER

IN

CRL OP(MD) No.21962 of 2018

Date :12/12/2018