



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

Monday, the Seventeenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22211 of 2018

1 K.PALANISAMY
2 A.MADAVAN
3 A.MARIYAEI
4 K.PACKIYAM
5 JANAKIRAMAN
6 KANTHAPANDARAM

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
THOGAIMALAI POLICE STATION,
KARUR DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.MURUGAPPAN, 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, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 147, 323 and 506(i) I.P.C in Crime No.263 of 2018, seek anticipatory bail.

2. The petitioners were earlier granted anticipatory bail by this Court vide order in Crl.O.P.(MD).No.19923 of 2018, dated 02.11.2018. But, they were unable to execute the sureties within the stipulated time. Hence, they have come forward with this petition.

3. The contention of the petitioners is that they are ready to co-operate with the investigation and they shall not tamper the investigation and hence, anticipatory bail may be granted to them.



4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent in this regard.

5. Considering the above facts and circumstances of the case, 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, No.I, Kulithalai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

[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 petitioner 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/-
17/12/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.I,
KULITHALAI.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
THOGAIMALAI POLICE STATION,
KARUR DISTRICT.

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

+1. CC to M/S.R.MURUGAPPAN Advocate SR.No.23510.

ORDER

IN

CRL OP(MD) No.22211 of 2018

Date :17/12/2018

AMS/VR-MMS/S-3/26.12.2018/3P/6C