



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

Tuesday, the Eighteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22328 of 2018

1 S.CHANDRASEKAR

2 RAVI

... PETITIONERS / ACCUSED NO. 3 & 4

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
SOMARASAMPETTAI POLICE STATION,
TRICHY DISTRICT.

(CRIME NO.256/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.C.SUSI KUMAR Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate

(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 149, 447 and 506(i) IPC in Crime No.256 of 2018, seek anticipatory bail.

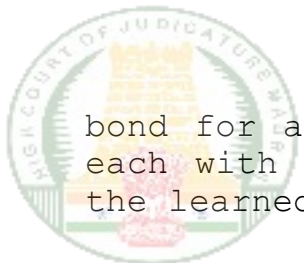
2. The case of the prosecution is that due to civil dispute, the petitioners abused and restrained the defacto complainant and his family to enter into a property.

3. The contention of the petitioners is that they are innocent and they had nothing to do with the alleged crime and hence, anticipatory bail may be granted to them.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that since the petitioners are only the sub-tenants of the property, they are not the main accused and are arrayed as accused Nos.3 and 4. He further submitted that investigation is going on.

5.Considering the fact that the petitioners are not main accused, 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.V, Trichy 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 petitioners 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners 1 to 3 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/-
18/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-V, TRICHY.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE INSPECTOR OF POLICE
SOMARASAMPETTAI POLICE STATION, TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI.

+1. CC to Mr.C.SUSI KUMAR Advocate SR.No.23670
PS/JC/SAR-4/21.12.2018/2P/6C

ORDER
IN
CRL OP(MD) No.22328 of 2018
Date :18/12/2018