



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

Friday, the Twenty Fourth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.14925 of 2018

1 KATHIRESAN

2 BALASUDHA

... PETITIONERS / ACCUSED NO.1&2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.

IN CRIME NO.20 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.K.PARAMASIVAM Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU Govt. Advocate
(Crl. Side)

For Intervenor : Mr.S.MICHEALHELDON KUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos. 1 and 2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 447, 294(b), 506(ii) I.P.C and Section 3 of TNPPDL Act in Crime No.20 of 2016, on the file of the respondent police, seek anticipatory bail.

2.The learned counsel appearing for the intervenor pointed out that the petitioners had earlier obtained anticipatory bail from the Sessions Court but did not comply with the condition. Taking note of the said conduct of the petitioners herein, this Court was about to dismiss the original petition.

3.But then, the learned counsel appearing for the petitioners on instruction undertook that the petitioners would pay a sum of Rs.10,000/-(Rupees ten thousand only) directly to the defacto complainant by taking a Demand Draft in his favour.

4.The said amount will not be withdrawn even if the criminal case ends in favour of the petitioners herein. In other words, it is a non-refundable payment.



5. Subject to the above condition, 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 before the learned Judicial Magistrate, Valliyoor, Tirunelveli District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two common sureties** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
24/08/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.VIKRAM Advocate SR.No.16296

PS/JC/SAR-4:30/08/2018:2P/6C

ORDER
IN
CRL OP(MD) No.14925 of 2018
Date :24/08/2018