



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

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PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.23034 of 2018

1 C.SUBRAMANI
2 S.SABAREESAN
3 P.KARTHICK

... PETITIONER / ACCUSED No. 1 to 3

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.340/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.GOPALAMANIKANDAN, Advocate

For Respondent : MR.R.ANANDHA RAJ,
ADDITIONAL PUBLIC PROSECUTOR.

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

ORDER : The Court Made the following order :-

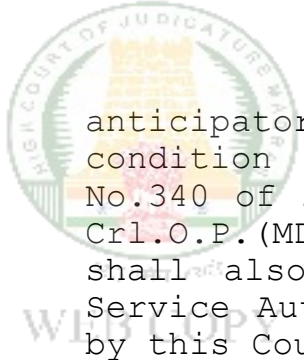
The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Section 294(b), 448, 506(ii) of IPC and Section 3 of PPDL Act registered in Crime No.340 of 2018, seek anticipatory bail.

2.The petitioners were already granted anticipatory bail with a condition to deposit a sum of Rs.5,000/- to the credit of Crime No.340 of 2018 on the file of the respondent police before the learned Judicial Magistrate, Manapparai by order dated 31.10.2018 in Crl.O.P.(MD)No.19521 of 2018. But the petitioners failed to comply the earlier order and therefore the earlier order stands lapsed.

3.Now the petitioners by way of second application have approached this Court and also made an offer to pay a sum of Rs.5,000/- to the Legal service Authority for not having complied with the earlier order.

<https://hcservices.ecourts.gov.in/hcservices/>

4.In the event of the offer made by the petitioner,



anticipatory bail shall be granted to the petitioner with a earlier condition to deposit a sum of Rs.5,000/- to the Credit of Crime No.340 of 2018 on the file of the respondent police as directed in Crl.O.P.(MD)No.19521 of 2018 in addition to that the petitioner shall also deposit a sum of Rs.5,000/- to the credit of Legal Service Authority for not having complied the order earlier passed by this Court.

5.With these directions, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) if the petitioners fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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]**.

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
27/12/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
MANAPPARAI.

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

3 THE SUB INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP (MD) No.23034 of 2018

Date :27/12/2018

AMS/VR/S-2/04.01.2019/3P/5C