



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

Monday, the Nineteenth day of November Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20606 of 2018

1 MURUGAN
2 SUDALAIKANNU

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VALLIYOOR POLICE STATION, VALLIYOOR,
TIRUNELVELI DISTRICT.
(CRIME.NO.411/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.G.RADHAKRISHNAN Advocate

For Respondent : Mr.M.ASOKAN 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 offences punishable under Sections 147, 294(b), 323 and 506(ii) I.P.C, in Crime No.411 of 2018, seek anticipatory bail.

2. The petitioners were earlier granted anticipatory bail by this Court in Crl.O.P.(MD).No.18279 of 2018, dated 11.10.2018 on condition that the petitioners to execute sureties within a period of 15 days from the date of receipt of that order.

3. Today, the learned counsel appearing for the petitioners submits that the petitioners were unable to get Solvency Certificate in time, due to the reason that the revenue officials being engaged in other important official work. Hence, sureties could not be executed before the Court in time.

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

5.Considering the same, this Court is inclined to grant anticipatory bail to the petitioners, with the same conditions imposed in Crl.O.P.(MD).No.18279 of 2018, dated 11.10.2018.

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, Valliyoar, Tirunelveli District 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.

[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/-
19/11/2018

/ 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,
VALLIYOOR POLICE STATION, VALLIYOOR, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.RADHAKRISHNAN Advocate SR.No.21772
PS/JC/SAR-4/26/11/2018/2P/6C

ORDER
IN
CRL OP(MD) No.20606 of 2018
Date :19/11/2018