



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

Tuesday, the Eleventh day of December Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21842 of 2018

1.BASKARAN

2 PRIYA

... PETITIONERS/ PETITIONERS/ACCUSED NOS.1&2

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.

(CRIME NO.270 OF 2018) ... RESPONDENT / RESPONDENT / COMPLAINANT

For Petitioners : Mr.J. LAWRANCE 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 :-

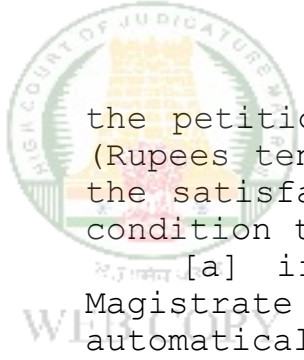
The petitioners/Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 294(b) and 506(ii) I.P.C, in Crime No.270 of 2018, seeks anticipatory bail.

2. According to the petitioners, they were already granted anticipatory bail by this Court in Crl.O.P.(MD).No.15878 of 2018, on 09.10.2018. But, they were unable to execute the sureties within the stipulated time. Hence, the anticipatory bail petition has been dismissed. So, they have come forward with this petition.

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

4.Considering the above, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions;

5.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.II, Usilampatti, on condition that



the petitioners shall each execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) 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 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/-
11/12/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, USILAMPATTI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to Mr.J. LAWRANCE Advocate SR.No.23247.

ORDER
IN
CRL OP(MD) No.21842 of 2018
Date :11/12/2018