



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

Wednesday, the Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.372 of 2019

1.V.MEENAKSHI,
2 AROCKIA FATIMA RANI,
3 P.BALAMURUGAN,
4 MANTHIRASUDAMANI,

... PETITIONERS / RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE,
SRIVAIGUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.276/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.LOUIS Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

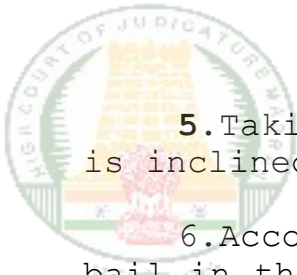
ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 143, 294(b), 353, 506(i) of IPC, in Cr.No.276 of 2018 seek anticipatory bail.

2.The case of the prosecution is that the petitioners who are working as Village Administrative Officers have participated in an agitation and at that time they have abused the Tahsildar, Srivaikundam by using unlawful words and threatened him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that a false case has been foisted against them and they had nothing to do with the alleged crime. Due to previous enmity, the defacto complainant has lodged this complaint.

4.The learned Government Advocate (Crl. Side) submits that the co-accused have been granted anticipatory bail by this Court.



5. Taking into consideration the facts of the case, this Court is inclined to grant anticipatory bail to the petitioners .

6. 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, Srivaikunadam, 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 said Magistrate, on further condition that:

[a] if the petitioners fail 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 learned Judicial Magistrate No.I, Thoothukudi for a period of two weeks and thereafter 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/-
09/01/2019

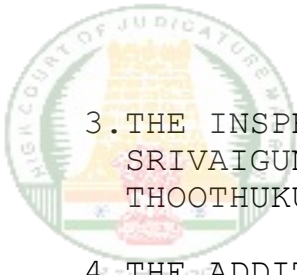
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
SRIVAİKUNDAM.

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



3. THE INSPECTOR OF POLICE,
SRIVAIGUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.S.LOUIS Advocate SR.No.41060

ORDER

IN

CRL OP (MD) No.372 of 2019

Date : 09/01/2019

AE/JC/SAR3/22.01.2019/3P/6C