



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

Friday, the Eighteenth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) Nos.22048 AND 22879 of 2018

1 JEGADEESH
2 VANAJA

... PETITIONERS/ ACCUSED No. 1 and 2
IN CRL OP (MD) No. 22048 of 2018

1 THAMSRAJ
2 SUDHAKARAN

... PETITIONERS/ ACCUSED No. 3 and 4
IN CRL OP (MD) No. 22879 of 2018

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT.
(CRIME NO. 880 OF 2018)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

M.SUBBURAM

... PETITIONER/INTERVENER/DEFACTO
COMPLAINANT
IN CRL MP (MD) No. 10480 of 2018
IN CRL OP (MD) No. 22048 of 2018

For Petitioners : MR.G.KARUPPASAMY PANDIAN, Advocate
for MR.A.K.AZAGARSAMI Advocate
IN CRL OP (MD) No. 22048 of 2018

MR.G.KARUPPASAMY PANDIAN, Advocate
IN CRL OP (MD) No. 22879 of 2018

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)
IN BOTH THE PETIITONS

For Intervener : MR.S.C.HEROLD SINGH, Advocate
IN CRL MP (MD) No. 10480 of 2018
IN CRL OP (MD) No. 22048 of 2018

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

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

ORDER : The Court Made the following order :-



7. Taking into consideration the facts of the case and the submissions by learned counsels, this Court inclined to grant anticipatory bail to the petitioners.

8. 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, Theni 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 the police officer who intends to arrest or 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 first petitioner/A1 in CrI.O.P(MD)No.22048 of 2018 shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation and the other petitioners shall appear 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 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/-

18/01/2019

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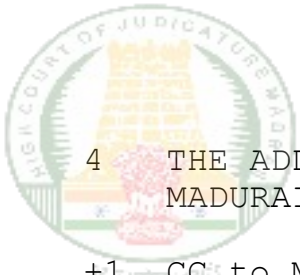
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, THENI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT

3 THE INSPECTOR OF POLICE
THENI POLICE STATION, THENI DISTRICT.



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

+1. CC to MR.A.K.AZAGARSAMI Advocate SR.No.912

+1. CC to MR.G.KARUPPASAMY PANDIAN, Advocate SR.No.913

+1. CC to MR.S.C.HEROLD SINGH, Advocate Advocate SR.No.943

ORDER

IN

CRL OP (MD) Nos.22048 AND
22879 of 2018

Date :18/01/2019

MSI/JC/SAR-III/23.01.2019-4P/ 8C