



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

Thursday, the Nineteenth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.22841 of 2013

P.SIVAPERUMAL

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.648/2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.DILIP KUMAR Advocate

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

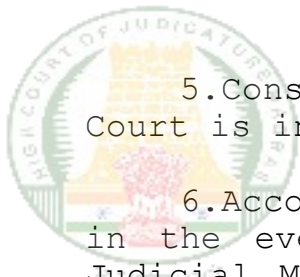
ORDER : The Court Made the following order :-

There are totally three accused and this petitioner is arrayed as A1 and apprehending arrest at the hands of the respondent police for the alleged commission of offences punishable under Sections 468, 471 and 506(i) of I.P.C., said to have committed on 09.12.2011 in Crime No.648 of 2013 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is a successful tenderer and awarded to collect parking fees from vehicles coming to Kanyakumari Town Panchayat instead of collecting prescribed rate of Rs.50/- per vehicle, collected Rs.500/- per vehicle and thereby gain pecuniary advantage and caused loss to the local body.

3.The learned counsel for the petitioner would submit that though the petitioner is a successful tenderer for having quoted a sum of Rs.24,35,000/-, he has incurred loss and he is nothing to do with the lethargic activities of A2 & A3 and subsequently, his contract has also been cancelled. Challenging the verity of the same, he filed a writ petition and the same is pending.

4.The learned Government Advocate (crl.side) would submit that the investigation is pending.



5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on anticipatory bail.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Nagercoil and on executing 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 the petitioner appear before the respondent police daily at 11.00 p.m for a period of one week and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, KANYAKUMARI POLICE STATION,
KANYAKUMARI DIST,
- 4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No.63744.

ORDER
IN
CRL OP(MD) No.22841 of 2013
Date :19/12/2013

msm 26.12.2013 p2/6c