



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

Friday, the Thirteenth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1107 of 2015

WEB COPY

B. ALTAF

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
KANYAKUMARI,
CR.NO. 1053/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.M.A.JINNAH Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

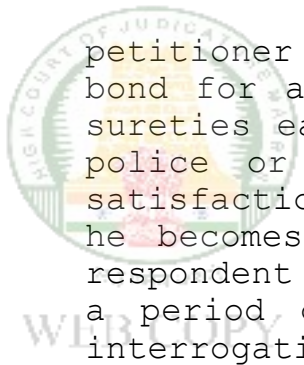
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 387 IPC in Crime No.1053 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the prosecution is that on 13.12.2014, two persons came in a Motor Cycle to the hotel in which the defacto complainant, by name Ansari, was working and demanded money from him at knife point and robbed a sum of Rs.1,000/-. Police arrested one Nasir (A1) and on his confession statement, this petitioner is being implicated in this case.

4. Though State has filed a status report, strongly opposing to the grant of anticipatory bail to this petitioner, on reading of the complaint, it is seen that the allegations against this petitioner are not serious. This Court was informed that the co-accused Nasir has already been released on bail in this Crime Number.

5. Under such circumstances, anticipatory bail is granted to this petitioner. While granting anticipatory bail to an accused, normally this Court would grant two weeks' time for surrendering before the concerned Magistrate and furnishing sureties. In this case, this Court is not consciously fixing any time limit, as this Court has dismissed the anticipatory bail petition of the same



petitioner in Crime No.328 of 2014. The petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, in this case after he becomes a free bird and thereafter, shall report before the respondent police twice a day daily at 10:30a.m. and 05:30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

6. It is also made clear that the petitioner shall not tamper with evidence or witness either during investigation or trial of this case and also shall not abscond either during investigation or trial.

7. On breach of any of the aforesaid conditions in this case, 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 petitioner 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].

sd/-
13/02/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KOTTAR POLICE STATION, KANYAKUMARI,
 - 2 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.M.A.JINNAH Advocate SR.No.7059

ORDER
IN
CRL OP(MD) No.1107 of 2015
Date :13/02/2015

NA/16/02/2015/P2/4C