



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

Friday, the Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.196 of 2015

S. VETRICHELVAN

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
TERMINAL POLICE STATION, TUTICORIN DT.
CR.NO. 11/2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MATHIYALAGAN Advocate

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

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.11 of 2013, on the file of the respondent police for offences under Sections 406 and 417 of the Indian Penal Code, the petitioner is now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that this petitioner is arrayed as A1 in this case and one Ramesh (A2) was his employee. It is alleged that the petitioner had taken two lorries belonging to the defacto complainant for hire and did not return the same to the defacto complainant. The lorries were driven away by A2-Ramesh, who is an employee of this petitioner.

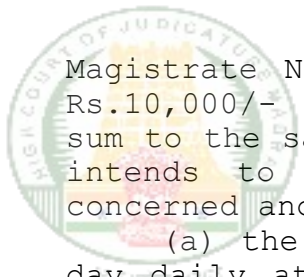
3. The learned Government Advocate (crl. side) would submit that a case was registered in the year 2013 and Ramesh was arrested and released on bail. The police were not able to arrest this petitioner. The lorries have been recovered. There is no previous case against the petitioner.

4. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case.

5. Having regard to the nature of offences said to have been committed by the petitioner, I am inclined to grant anticipatory bail to him, but with conditions.

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

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.II, Thoothukudi on executing a separate 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 and on further condition that,

(a) the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30p.m. for a period of two weeks without fail and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

sd/-
09/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, THOOTHUKUDI.

2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE
TERMINAL POLICE STATION, TUTICORIN DISTRICT.

+1. CC to M/S.R.MATHIYALAGAN Advocate SR.No.1161.

TS/19.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.196 of 2015
Date :09/01/2015