



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

Tuesday, the Twentieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.20393 of 2015

SIVAKUMAR

... PETITIONER / ACCUSED No.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
TIRUCHENDUR TALUK POLICE STATION,
TUTICORIN DISTRICT.
CR. NO. 23 OF 2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.DURAIRAJ 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 Sections 147, 294(b) and 506(ii) of the Indian Penal Code and Section 3 of TNPPDL Act, in Crime No.23 of 2014, on the file of the respondent police, seeks anticipatory bail.

2. It is represented by the learned Government Advocate (Crl.Side) that the co-accused has been release on bail and also anticipatory bail.

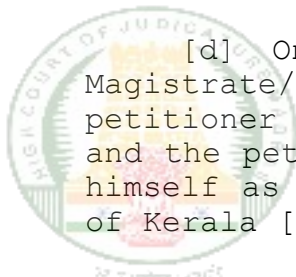
3. Considering the fact that the co-accused have been released on bail and also anticipatory bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchendur, on condition that 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 and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06:30 p.m., for a period of two weeks and thereafter as and when required for interrogation.

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

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

[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 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].

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
20/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE
TIRUCHENDUR

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE,
TIRUCHENDUR TALUK POLICE STATION,
TUTICORIN DISTRICT.

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

+1. CC to M/S R.DURAIRAJ Advocate SR.No.62289

ORDER
IN
CRL OP(MD) No.20393 of 2015
Date :20/10/2015

AM/20.10.2015/DP/SAR-I/2P/6C