



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22452 of 2015

MAGESH

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT.
CR.NO. 211 OF 2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.PUHAZAH GANDHI ADVOCATE

FOR RESPONDENT : MR.K.ANBARASAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

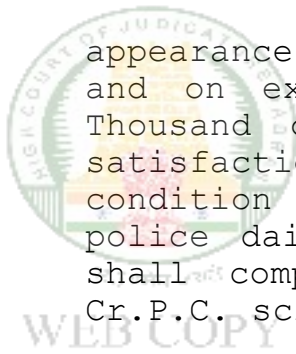
The petitioner, who is arrayed as accused No.2, in Crime No.211 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 457 and 380 of the Indian Penal Code and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 21.09.2015, 11 laptops belonging to the defacto complainant were stolen by some unknown persons.

3. The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence. Originally, the name of the petitioner has not been found in the First Information Report and only based on the confession statement given by one Mary Vijayan, his name has been falsely implicated in this case. It is the further case of the petitioner that due to previous motive between the petitioner and the defacto complainant, he has given a false complaint against the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that already A1 was arrested and enlarged on bail.

5. Considering the facts and circumstances of the case and also considering the fact that already A1 was arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his



appearance before the learned Judicial Magistrate, Padmnanabhapuram 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 shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
09/12/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
PADMANABHAPURAM.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
AT NAGERCOIL, KANYAKUMARI DISTRICT.
3. THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION,
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PUHAZAH GANDHI Advocate SR.No. 70406

ORDER
IN
CRL OP(MD) No.22452 of 2015
Date :09/12/2015

PS

TE/SKS-RR/SAR-II : 14/12/2015 : 2P/6C