



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

Monday, the Twenty First day of December Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24462 of 2015

WEB COPY

KARMEGAM

... PETITIONER/ACCUSED
Vs

STATE REP BY THE SUB INSPECTOR OF POLICE
C-3 S.S. COLONY POLICE STATION,
MADURAI, CR NO.681/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S N.SUNDARESAN Advocate
For Respondent : MR.K.ANBARASAN 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 294(b), 447, 506(i) of IPC and Section 3 of TNPPDL Act, in Crime No.681 of 2015 on the file of the respondent Police, seeks anticipatory bail.

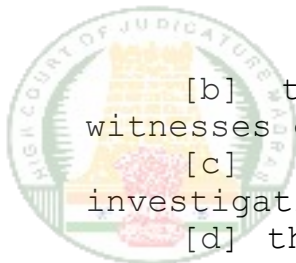
2.The case of the prosecution is that the petitioner had entered into the defacto complainant's Hotel and damaged the Italian Marble, Granite and some building materials, which have been kept on the side wall of the Hotel.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

4.The learned counsel for the petitioner submitted that the petitioner is ready to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) without prejudice to his rights.

5.Considering the fact that 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 No.V, Madurai, 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 learned Judicial Magistrate No.V, Madurai daily at 10.30 am for a period of two weeks.



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

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

[d] the petitioner is directed to deposit a sum of Rs.1,00,000 (Rupees one lakh only) to the credit of Crime No.681 of 2015 before the learned Judicial Magistrate No.V, Madurai, on or before 05.01.2016. In turn the learned Magistrate shall deposit the said amount in any one of the Nationalized Bank under recurring deposit scheme, renewable every year.

[e] the respondent police is directed to complete the investigation as early as possible.

[f] On breach of any of the aforesaid conditions, the learned Magistrate 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

6.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.

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/-
21/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,MADURAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI
 - 3 THE SUB INSPECTOR OF POLICE
C-3 S.S. COLONY POLICE STATION,MADURAI
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to M/S N.SUNDARESAN Advocate SR.No.75988

ORDER
IN
CRL OP(MD) No.24462 of 2015
Date :21/12/2015

AM

AA/AAL-MPA/SAR-I/23.12.2015/2p-7c