



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Wednesday, the Twenty Fifth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4446 of 2015

C.RAJAKUMAR

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE  
RAJAKKAMANGALAM POLICE STATION,  
KANYAKUMARI DISTRICT.  
(CRIME NO. 72 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LAJAPATHI ROY Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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.72 of 2015 on the file of the respondent police for offences under Sections 294(b), 353, 307 of I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, the petitioner is now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that the petitioner and the other accused are involved in sand theft and when the police intercepted them, they tried to mow down the police party by driving the vehicle in a great speed. It is further alleged in the F.I.R. that the police party chased and the petitioner abandoned the vehicle and ran away.

4. The learned Government Advocate (Crl.side) submitted that there is no previous case against the petitioner.

5. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, in the event of his 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.I, Nagercoil, Kanyakumari District, on his 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 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 6.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall give his thumb impressions, specimen signature and handwriting.

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



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

[e] 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]**.

[f] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

25/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, RAJAKKAMANGALAM POLICE STATION,  
KANYAKUMARI DISTRICT.

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.14917

ORDER IN

CRL OP(MD) No.4446 of 2015

Date :25/03/2015

PBK 27/03/2015 ::2P-6C: