



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

Thursday, the Twenty First day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.8433 of 2015

S.P.MOORTHY

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DISTRICT.
CR. NO.5/2005. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.PRABHU Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

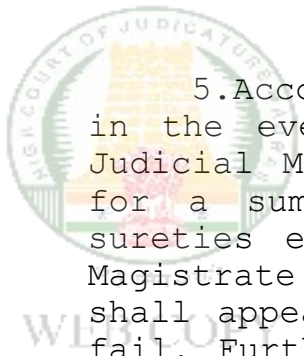
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Section 420 of IPC in C.C.No.142 of 2005 on the file of the Judicial Magistrate Court No.1, Thoothukudi, and hence, seeks anticipatory bail.

2.The learned counsel for the petitioner has submitted that the petitioner, due to his poverty has gone for manual work at Kerala and he has not appeared before the Lower Court. He further submitted that the petitioner will appear for future hearing regularly.

3. It is submitted by the learned Government Advocate (Crl.side) that submitted sureties have to be furnished by this petitioner and also stringent condition may be imposed for his due appearance before the Lower Court.

4. Considering the facts and circumstances of the case and considering the fact that the petitioner is willing to furnish substantial sureties, and also this petitioner is willing to appear for future hearing regularly, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Further, it is ordered that the petitioner shall not try to intimidate, therefore, influence or allure of prosecution witness in any manner.



5. 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.I, Thoothukudi on his executing a bond for 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 trial Court for all future hearing without fail. Further, the petitioner shall furnish the present address of residence with the true copy of Ration Card/ Voter ID/Aadhar Card, to the lower Court and also to the Police. Further , the petitioner shall not leave the present address mentioned in the present petition, without prior permission of the Trial Court.

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.

7. In case of any breach violation of any of the aforesaid condition, the state would be at liberty to move the Court for Cancellation of the Petitioner's bail.

sd/-
21/05/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.PRABHU Advocate SR.No.25977

ORDER
IN
CRL OP(MD) No.8433 of 2015
Date :21/05/2015

AA/25.05.2015/2p - 6c/