



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

Thursday, the Fourth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.9732 of 2015

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KILADI @ MADASAMY

... PETITIONER/ACCUSED NO.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SENKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT,
IN CRIME NO.232 OF 2010.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.JAGADEESH PANDIAN FOR M/S.K.J.ASSOCIATES Advocate

For Respondent : MR.K.V.RAJARAJAN, 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 A.3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 I.P.C. in Crime No.232 of 2010, on the file of the respondent police in pursuant to the Non-bailable warrant issued in C.C.No.35 of 2011 on 20.01.2011 and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner committed theft of goat belonging to the defacto complainant.

3. The learned Counsel for the petitioner submitted that the occurrence had taken place in the year 2010 and he was not aware of the filing of the final report in this case and he had gone to Kerala for his livelihood. The learned Counsel further submitted that the petitioner undertakes to appear before the trial Court for all the future hearing dates.

4. The learned Government Advocate(Crl.Side) submitted that the trial against the first accused was already concluded in conviction and the second accused is now attending the case.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Senkottai, Tirunelveli District and 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the trial Court for all the future hearing dates. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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/-
04/06/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, SENKOTTAI, TIRUNELVELI DISTRICT.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3 THE INSPECTOR OF POLICE
SENKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.28250

ORDER
IN
CRL OP(MD) No.9732 of 2015
Date : 04/06/2015

PA/PPS/09.06.2015/2P/6C