



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

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13776 of 2015

***SIVA JOTHI**

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs.

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE
SEITHUNGANALLUR POLICE STATION,
SEITHUNGANALLUR,
TUTICORIN DIST.
(CRIME NO. 109/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.DURAIRAJ 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 :-

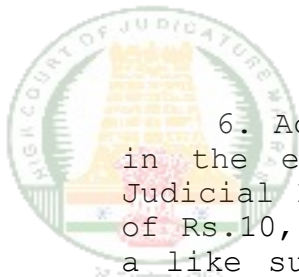
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 342, 506(ii) and 394 of I.P.C. in Crime No.109 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, the accused had taken away his car and also threatened him with dire consequences.

3.The learned counsel for the petitioner submitted that the de-facto complainant has purchased the car with financial assistance of Finance Company and the petitioner stood as a guarantor and for non-payment of the instalment, the Finance Company has taken the car from the de-facto complainant and now the car is in the custody of the Finance Company.

4.The learned Government Advocate (Crl.side) would submit that the first accused was arrested and released on bail and the respondent police has recovered the car and the learned counsel further submitted that on instruction of the petitioner, the Finance Company has taken the possession of the vehicle.

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



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, Srivaikundam 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 as and when required for interrogation. 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/-

22/07/2015

(*Amended as per the order of this Hon'ble court dated:07.08.2015 and made in MP.(MD).NO.1/2015 in CrI.OP.No.13776/15

sd/-

07/08/2015

Time is extended for a period of two weeks from the date on which the order copy is made ready to furnish sureties.

/ TRUE COPY /

Sub-Assistant Registrar

TO

(to be substituted the order already despatched)

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
SEITHUNGANALLUR POLICE STATION,
SEITHUNGANALLUR, TUTICORIN DISTRICT.

+2cc to M/s.M.S.Jeyakarthik, Advocate SR.NO.44636,45288

Akm/27.07.15 /2p-6c/

Sm:AMF:SAR I:13.08.2015:2P/7C

ORDER

IN

CRL OP(MD) No.13776 of 2015

Date :22/07/2015