



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.24526 of 2015

BOOPATHI @ RAMAMORTHY

... PETITIONER/ ACCUSED NO.2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
THIRUTHANGAL POLICE STATION,
THIRUTHANGAL,
VIRUDHUNAGAR DISTRICT.
(CR NO.633 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.A.S.VAIGUNTH 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 :-

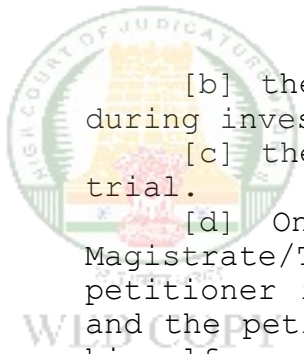
The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C., in Crime No.633 of 2015, on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel for the petitioner contended that the petitioner is the owner of the vehicle and there is no specific overt act against him and without conducting proper enquiry the present case has been registered for statistical purpose. He further submitted that he has no previous bad antecedents.

3. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.

4. Considering the fact that the petitioner is the driver of the vehicle and he has no previous cases, 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, Sivakasi, 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:

<https://hcservices.courts.gov.in/hcservices>
The petitioner shall report before the respondent police daily at 10:30 a.m., for a period of two weeks and thereafter as and when required for interrogation.



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

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

[d] 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].

5.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.

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.

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 , SIVAKASI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUTHANGAL POLICE STATION,
THIRUTHANGAL,VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.A.S.VAIGUNTH Advocate SR.No.75747

ORDER

IN

CRL OP(MD) No.24526 of 2015

Date :21/12/2015

sj

NS/AAL-MPA/SAR II/22.12.2015 : 2P/6C