



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

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.10101 of 2016

ARUMUGAM@C.D.ARUMUGAM

... PETITIONERS/ACCUSED NOT KNOWN

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION
MADURAI DISTRICT
CR.NO.513 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.VIVEKKUMAR Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

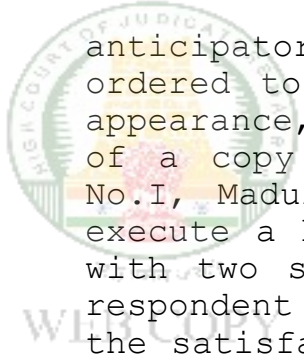
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 379 of IPC in Crime No.513 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that it is the theft of vehicle belonging to the defacto complainant. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that based on confession of A1 only the petitioner has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submit that A1 arrested and released on bail and the vehicle was recovered from A1. He further submitted that only on confession of A1 the petitioner is arrayed as A2.

5. Considering the facts and circumstances of the case and also considering the fact that the vehicle was recovered from A1 and that A1 was arrested and released on bail, 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 No.I, Madurai District and 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:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

sd/-
23/06/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.1, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE THEPPAKULAM POLICE STATION
MADURAI DISTRICT

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

+1. CC to M/S M.VIVEKKUMAR Advocate SR.No.32385

ORDER

IN

CRL OP(MD) No.10101 of 2016

Date :23/06/2016