



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10365 of 2016

RAJENDRAN

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP BY ITS
THE SUB INSPECTOR OF POLICE
MALLANGINAR POLICE STATION,
VIRUDHUNAGAR DISTRICT,
(CRIME NO.77/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.THIRUNAVUKKARASU Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

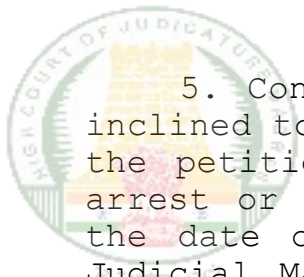
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 188 of IPC r/w. Section 4A (1a) Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 in Crime No.77 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that without any permission, made the decoration by the flags for the purpose of vote canvas, on behalf of the particular political party and caused nuisance to the general public. 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. He further submitted that the petitioner is the Secretary of particular political party and due to the influence of the other political party, the Village Administrative officer gave a complaint against the petitioner and his name has been falsely implicated in this case.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate (Crl. Side) submitted that the investigation of the case is pending.



5. Considering the facts and circumstances of the case, 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, Virudhunagar, Virudhunagar 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 petitioner 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/-

13/07/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I
VIRUDHUNAGAR
VIRUDHUNAGAR DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
4. THE SUB INSPECTOR OF POLICE
MALLANGINAR POLICE STATION, VIRUDHUNAGAR DISTRICT
RL/5C/2P/GSV/PM/SARI/19/7/2016

ORDER

IN

CRL OP(MD) No.10365 of 2016

Date :13/07/2016