



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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10411 of 2016

MOHAMMED @ JAKKARIA

... PETITIONER/ ACCUSED-1

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ARUPPUKOTTAI TOWN POLICE STATION,

VIRUDHUNAGAR DISTRICT.

(CRIME NO. 205 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SANTHOSHKUMAR Advocate

For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

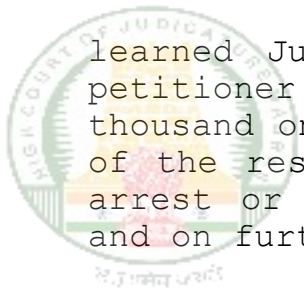
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) IPC read with Section 4 of T.N.P.W.H. Act, in Crime No.205 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioner has already filed Crl.O.P(MD)No.4594 of 2016 for anticipatory bail before this Court and this Court vide order dated 18.03.2016, granted anticipatory bail to him. Due to ill-health, he could not produce the sureties before the Judicial Magistrate within the stipulated time. Hence, the petitioner has come up with the present petition.

3.Heard the learned Government Advocate (Criminal side).

4.Considering the facts and circumstances of the case and also the considering fact that this Court has already granted anticipatory bail to the petitioner vide order dated 18.03.2016 made in Crl.O.P(MD)No.4594 of 2016, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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, Aruppukottai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 06.30 p.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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 a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
28/06/2016

/ TRUE COPY /

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

SMN
TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S P.SANTHOSHKUMAR Advocate SR.No.33505

GJM/ARK/PV/SAR-I-1.7.16-2P-6C

ORDER
IN
CRL OP(MD) No.10411 of 2016
Date :28/06/2016