



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.11548 of 2016

WEB COPY

HEERALAL

... PETITIONER/RANK NOT KNOWN

Vs

CENTRAL REPRESENT THROUGH ITS
THE INSPECTOR OF POLICE,
RAILWAY PROTECTION FORCE,
MADURAI DIVISION,
MADURAI.

CRIME NO.1068/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.SUKUMAR 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, apprehends arrest at the hands of the respondent police for the offences punishable under Section 143(i)(a) of the Railways Act, 1989, in Crime No.1068 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

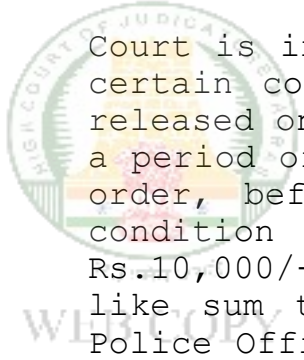
2. The case of the prosecution is that on information of unauthorised carrying on business of procuring railway tickets, the squad team of the Railway Department contacted one Ibrahim Khan, for booking railway tickets and booked the ticket through him in the Railway Extension Counter at Thallakulam, Madurai. Since the said Ibrahim Khan is not an authorised agent for booking railway tickets, the squad team arrested him and seized the unlawful railway tickets from him. Further, the said Ibrahim Khan confessed that he has been working under the petitioner on commission basis. Based on his confession, the petitioner has been arrayed as an accused.

3. The case of the petitioner is that he is an innocent and he has not committed any offence as alleged in the FIR or in the confession given by Ibrahim Khan. Further, he is doing real estate business and there is no relationship between him and the said Ibrahim Khan. The petitioner had partnership with an authorised travel agent 10 years ago. Due to termination of licence, he did not continue his partnership and travel business.

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

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

5. Considering the facts and circumstances of the case, this



Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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.VI, Madurai, 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 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 10.00 a.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]**.

6. 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/-
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.VI, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, RAILWAY PROTECTION FORCE, MADURAI DIVISION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.SUKUMAR Advocate SR.No.36617

ORDER

IN

CRL OP(MD) No.11548 of 2016

Date :13/07/2016