



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

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13289 of 2016

M.ARUMUGAM

... PETITIONER/ACCUSED NO. 2

Vs

STATE REP.BY THE INSPECTOR OF POLICE
ADIVARAM POLICE STATION,
PALANI,DINDIGUL DISTRICT,
CR NO. 296 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P. MAHENDRAN Advocate

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

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

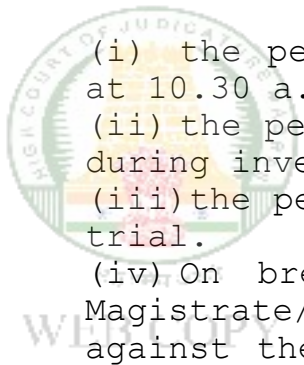
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 3(1), 4(2) (C), 5(1)(a), 5(1)(d), 7(1)(b) of Immoral Traffic (Prevention) Act, 1956, in Crime No.296 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the petitioner is that he is the owner of the Surya Cottage. He is innocent and he has not committed any offence as alleged by the respondent police and prays for anticipatory bail in his favour.

3.It is submitted by the learned Government Advocate (Crl.Side) that the investigation is pending and there is no previous case against the petitioner.

4.Considering the nature of allegation and also considering the fact that the petitioner is the owner of the Cottage and he was not present in the place of occurrence, 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, Palani, 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 10.30 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]**.

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/-

29/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE INSPECTOR OF POLICE, ADIVARAM POLICE STATION,
PALANI, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P. MAHENDRAN Advocate SR.No.40636

JA-SKS-RR-SAR.I/08.08.2016/2P:6C

ORDER

IN

CRL OP(MD) No.13289 of 2016

Date :29/07/2016