



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

Monday, the Eighth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13667 of 2016

M.KARUPPANAN

... PETITIONER / SOLE ACCUSED

Vs

State represented by

THE INSPECTOR OF POLICE

SELUR POLICE STATION, MADURAI DISTRICT.

CR. NO.1965 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.A. BANUMATHY 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 sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 380, 448, 435 and 506(i) IPC, in Crime No.1965 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

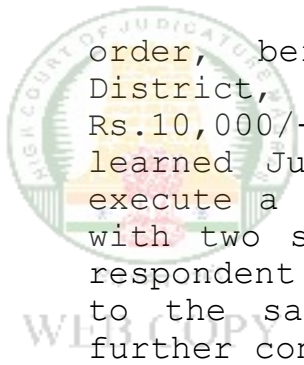
2.The case of the prosecution is that the petitioner purchased a house plot measuring 20 cents from the brother of the de facto complainant and put up a commercial complex in the said land illegally and he damaged the revenue boundary stones put up in the pathway of the de facto complainant and removed the same and also sold the stones to the tune of Rs.50,000/-. He also encroached their pathway and put up a drainage tank and a gate. When the same was questioned by the de facto complainant, the petitioner threatened him with dire consequences. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that the petitioner removed revenue boundary stones and sold the same to the tune of Rs.50,000/-.

5.The learned counsel for the petitioner submitted that the petitioner is willing to deposit a sum of Rs.10,000/- to the credit of Crime No.1965 of 2016 before the learned Judicial Magistrate No.II, Madurai District.

6.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.II, Madurai District, on condition that the petitioner shall deposit a sum of Rs.10,000/- to the credit of Crime No.1965 of 2016 before the learned Judicial Magistrate No.II, Madurai District and he 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]**.

7.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/-
08/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI DISTRICT
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
SELUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.A. BANUMATHY Advocate SR.No.42707

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ORDER
IN
CRL OP(MD) No.13667 of 2016
Date :08/08/2016