



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

Thursday, the Fourth day of August Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.13811 of 2016

VADIVEL

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
KOVILANGULAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(REF. CRIME NO.47/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.NAGENTHRAN Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

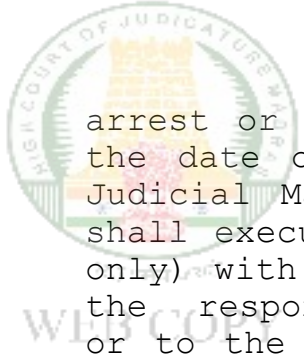
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 4 (1)(a) TNP Act r/w. 24 TNP (Transport) in Crime No.47 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that during vehicle check up, the petitioner was found in possession of liquor bottles worth about Rs.4,500/-. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is a salesman of the Tasmac shop and he is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the petition was found in possession of liquor worth Rs.4,500/- at the time of vehicle check up and 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, Kamuthi 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].

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 petitioners are complying with the condition or not.

sd/-

04/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S.N.NAGENTHRAN Advocate SR.No.42233

ORDER IN

CRL OP(MD) No.13811 of 2016

Date :04/08/2016

trp

SH/ARK-PV/SAR-III:11.08.2016:2P/6C