



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15128 of 2016

SUYAMBULINGAM,

... PETITIONER / ACCUSED -2

Vs

STATE OF TAMILNADU REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO.547 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.R.SATHAN BOOPATHY 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 :-

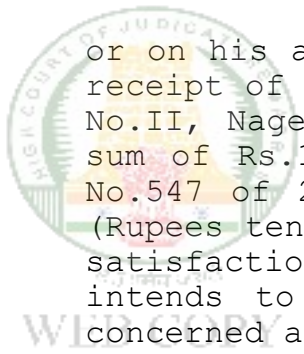
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294 (b), 341, 307 and 506(ii) of IPC r/w. Section 3(1) of TNPPDL Act in Crime No.547 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to previous motive the petitioner along with other accused attacked the defacto complainant and caused damage to the back side of his car worth about Rs.15,000/-. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted tha petitioner is willing to deposit a sum of Rs.10,000/- and prays for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the the petitioner along with other accused attacked the defacto complainant and casued to the back side of his car worth about Rs.15,000/- and the investigation of the case is pending.

5. Considering the nature of allegations levelled against the petitioner and the contention of the learned counsel for the petitioner <https://hservices.ecourts.gov.in/hcservices/> the petitioner is willing to deposit a sum of Rs.10,000/-, 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 No.II, Nagercoil and on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.547 of 2016 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 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 petitioner is complying with the condition or not.

sd/-
18/08/2016

/ TRUE COPY /

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

TRP
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE, KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S S.R.SATHAN BOOPATHY Advocate SR.No.45684
GJM/PV/SAR-I-23.8.16-2P-6C