



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

Friday, the Twenty Ninth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.1626 of 2016

V. SANTHOSH

... PETITIONER/ACCUSED NO.3

Vs

THE STATE OF TAMILNADU
REP BY THE INSPECTOR OF POLICE
RAILWAY POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT,
(CRIME NO.33/2010)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.RUSSEL RAJ Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Cr1. 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 the alleged offence punishable under Sections 150(a) of Indian Railway Act, in S.C.No.21 of 2012, on the file of the First Additional Sub Court, Nagercoil, seeks anticipatory bail.

2. It is represented by the learned Government Advocate (Cr1.Side) that the petitioner is absconding from 03.10.2013 and the investigation has been completed and the charge-sheet has been filed.

3. 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 First Additional Sub Court, Nagercoil, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 concerned Court daily at 10:30 a.m., 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 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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

29/01/2016

/ TRUE COPY /

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

TO

1. THE FIRST ADDITIONAL SUBORDINATE COURT
NAGERCOIL , KANYAKUMARI DISTRICT
2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
3. THE INSPECTOR OF POLICE
RAILWAY POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT,

+1. CC to M/S R.RUSSEL RAJ Advocate SR.No.5437

RL/5C/AAL/MPA/ARII/2/2/2016

ORDER

IN

CRL OP (MD) No.1626 of 2016

Date : 29/01/2016