



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

Tuesday, the Fourth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.16842 of 2016

LAKSHMIKANDAN,

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY

1 THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.158 OF 2016

..RESPONDENT No.1/COMPLAINANT

2 THE EXECUTIVE OFFICER,
SAYALKUDI TOWN PANCHAYAT,
SAYALKUDI,
RAMANATHAPURAM DISTRICT.

..RESPONDENT No.2/
PROPOSED RESPONDENT

[R2 IMPEADED AS PER ORDER OF THIS
HON'BLE COURT MADE IN CRL.MP(MD)No.8939/2016
IN CRL.OP(MD)No.16842/2016 DATED 04.10.2016]

For Petitioner : M/S.R.KARUNANIDHI Advocate

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

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

ORDER : The Court Made the following order :-

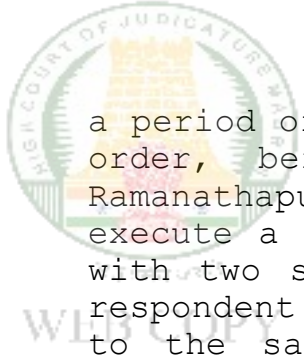
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Section 448 IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992, in Crime No.158 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner broke open the seal and running the shop. On complaint, case has been registered for the above said offences.

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

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that co-accused were enlarged on bail.

5.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, Mudhukulathur, Ramanathapuram District, 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]**.

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 conditions or not.

sd/-

04/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MUDHUKULATHUR, RAMNAD DISTRICT.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMNAD.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, SAYALKUDI POLICE STATION, RAMANATHAPURAM DISTRICT.

+1. CC to M/S.R.KARUNANIDHI Advocate SR.No.59482

ORDER IN
CRL OP(MD) No.16842 of 2016
Date : 04/10/2016