



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

Friday, the Eighteenth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.20217 of 2016

THANGARAJ

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
TUTICORIN DISTRICT,
CR NO. 197 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.PERUMAL PRABHU Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

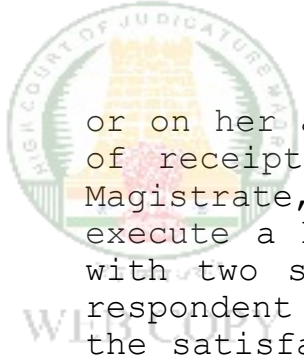
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 353, 307 and 379 of I.P.C., in Crime No.197 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that on 24.09.2016, the petitioner said to have transported river sand in the Tipper Lorry bearing Registration No.TN 67 AQ 4669, illegally.

4. It is submitted by the learned counsel for the petitioner that the petitioner is only the owner of the vehicle and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and the co-accused has been granted anticipatory bail by this Court.

5. Considering the facts and circumstances of the case and that the petitioner is the owner of the vehicle, this Court is 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srivaikundam 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 learned Judicial Magistrate, Srivaikundam on all working days at 10.00 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].

sd/-

18/11/2016

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

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

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

4 THE SUB INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
TUTICORIN DISTRICT,

+1. CC to M/S.JEYAKARTHIK, Advocate SR.No.70633.

ORDER

IN

CRL OP(MD) No.20217 of 2016

Date :18/11/2016