



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20501 of 2016

N. STARVIN,

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT
CR.NO.187 OF 2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SUDALAIYANDI Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

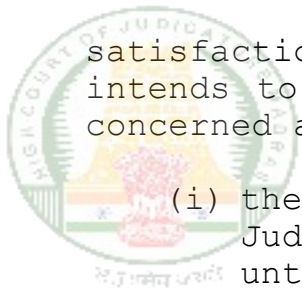
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294 (b), 506(ii) I.P.C., and Section 3(1) of T.N.P.P.D.L.Act, in Crime No.187 of 2013, on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard Mr.K.Sudalaiyandi, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that the investigation, in Crime No.187 of 2013, has been completed and final report has also been filed before the learned Judicial Magistrate, Valliyoor, and the same has been taken on file in P.R.C.No.10 of 2015.

4. Taking into consideration the above facts, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner. Accordingly, he 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, Valliyoor, 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 learned Judicial Magistrate, Valliyoor, 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/-
26/10/2016

/ TRUE COPY /

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

KRK

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.SUDALAIYANDI Advocate SR.No.63889

GJM/GSV/PM/SAR-I-3.11.16-2P-6C

ORDER
IN
CRL OP(MD) No.20501 of 2016
Date :26/10/2016