



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.20548 of 2016

S.GANESAN

... PETITIONER/ACCUSED No.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.137/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.A.RAMACHANDRAN Advocate

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

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

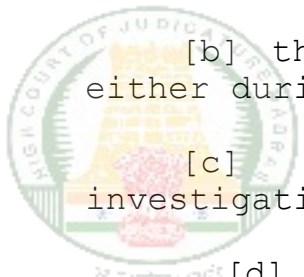
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of I.P.C in Crime No.137 of 2016 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Criminal Side) that this is a case of sand theft.

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 Judicial Magistrate, Cheranmahadevi, 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 appear before the respondent police 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]**.

[e] The Respondent police is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
26/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE CHERANMAHADEVI
- 2 THE CHIEF JUDICIAL MAGISTRATE
THIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.R.A.RAMACHANDRAN Advocate SR.No.63729

ORDER
IN
CRL OP(MD) No.20548 of 2016
Date :26/10/2016

SMA/KM/SAR-3/01.11.2016:2P/6C