



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

Friday, the Ninth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22585 of 2016

RAVI ... PETITIONERS / ACCUSED(A1)

Vs

State rep.by
THE SUB INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT,
CR.NO.504/2016 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.GANESHBABU 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 153(A) IPC r/w 4A(1a) of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 in Crime No.504 of 2016 on the file of the respondent police, the petitioner/A1 has come forward with this petition, seeking anticipatory bail.

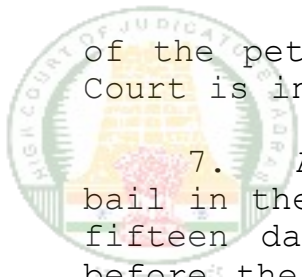
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that the petitioner along with other accused unlawfully affixed posters on the public wall, which resulted in registration of the present case against him.

4. Learned Government Advocate (Crl.Side) would submit that the petitioner is a habitual offender and that he has previous cases.

5. Learned counsel for the petitioner submitted that the petitioner did not involve in any such offences and the present FIR is only a motivated one.

6. Considering the facts and circumstances of the case and also taking note of the fact that even after dismissal of the earlier anticipatory bail petition, Police have not taken any steps to secure the petitioner, which shows the lethargic attitude on the part of the respondents and the collusion between the accused and the Police, this Court is of the view that custodial interrogation



of the petitioner is not necessary at this stage. Therefore, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.I, Usilampatti, Madurai, subject to the following conditions:**

(i) **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 Magistrate concerned;

(ii) **the petitioner shall report before the respondent police daily at 10:30am until further orders;**

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-
09/12/2016

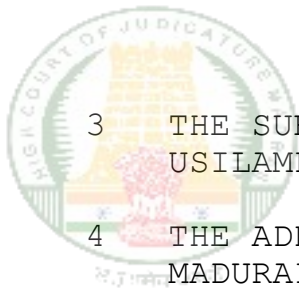
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I
USILAMPATTI, MADURAI DISTRICT

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
<https://hcservices.ecourts.gov.in/hcservices/>
MADURAI DISTRICT



3 THE SUB INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT

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

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+1. CC to M/S.R.GANESHBABU Advocate SR.No.80547

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ORDER

IN

CRL OP (MD) No.22585 of 2016

Date :09/12/2016