



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

Thursday, the Fifteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23071 of 2016

PRAKASH, ... PETITIONER / 3<sup>rd</sup> ACCUSED

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
THIRUPULANI POLICE STATION, RAMANATHAPURAM DISTRICT.  
CR.NO.203/2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S. K. ABIYA Advocate

For Respondent : Mr.P.Kandasamy, 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 Section 392 of IPC in Crime No.203 of 2015 on the file of the respondent police, seeks anticipatory bail.

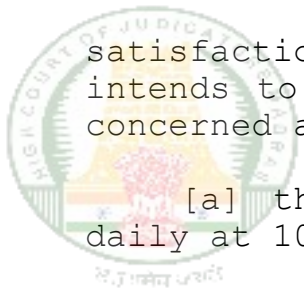
2.Heard the learned counsel on either side.

3.The learned Government Advocate (Crl.side) states that totally there are 4 accused and A1, A2 and A4 were arrested and they are in judicial custody and the petitioner is arrayed as A3.

4. It is admitted that the petitioner has been implicated in this case on the basis of confession given by A1, from whom the property was recovered.

5.The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and he prays for grant of anticipatory bail.

6. 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 No. I, Ramanathapuram 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 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]**.

sd/-

15/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM DISTRICT
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE,  
THIRUPULANI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. K. ABIYA Advocate SR.No.81019

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ORDER  
IN  
CRL OP(MD) No.23071 of 2016  
Date :15/12/2016