



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

Wednesday, the Fourteenth day of December Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP (MD) No.23261 of 2016

N.JOSE VIMALAN

... PETITIONER/5th ACCUSED

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI,
SIVAGANGA DISTRICT.
CRIME NO.602 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH 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 :-

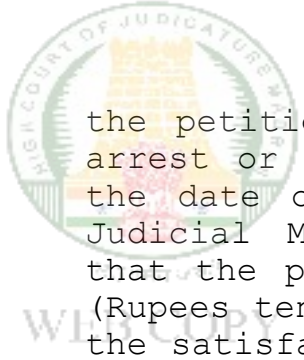
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 366, 366-A @ 120(b), 452, 364, 364(A), 365, 323, 384 and 506 (ii) of IPC in Crime No.602 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The learned Government Advocate (Crl.side) states that totally there are 9 accused in this case and the petitioner herein is arrayed as A5. A1, A4 and A6 were arrested and released on bail and A2, A7 and A8 are absconding. A3 was granted anticipatory bail by this Court.

4.The learned counsel for the petitioner submits that the name of the petitioner found in alteration report alone and he prays for grant of anticipatory bail.

5. 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, Karaikudi, Sivagangai District 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/-

14/12/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KARAUKUDI, SIVAGANGAI DISTRICT.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE, KARAUKUDI NORTH POLICE STATION,
KARAUKUDI, SIVAGANGA DISTRICT.

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

ORDER

IN

CRL OP(MD) No.23261 of 2016

Date :14/12/2016