



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

Wednesday, the Eleventh day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice P.KALAIYARASAN

CRL OP(MD) No.7891 of 2016

K. THANGARAJ

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

State rep.by
THE INSPECTOR OF POLICE
PAVOORCHATRAM POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO NOT KNOWN OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.D.GANESHAMOORTHY 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 :-

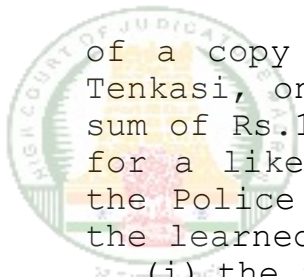
The petitioner / accused, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Section 379 I.P.C., in Crime No.Not known of 2016, on the file of the respondent Police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned counsel for the petitioner submits that this case has been foisted against the petitioner due to previous enmity between the petitioner and Village-head (Nattamai) and he is having permanent residence and the petitioner is no way connected with the crime and his name does not find place in the FIR.

4.The learned Government Advocate opposes this petition contending that the investigation is not yet completed and that the petitioner is a suspected accused.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner is having permanent residence, 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, Tenkasi, 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 respondent Police daily at 10.30 a.m., for a period of one month and thereafter he shall report before the learned Judicial Magistrate, Tenkasi, once in a week i.e., on every Monday at 10.30 a.m., for a period of one month.
- (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]**.

sd/-

11/05/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECOR OF POLICE
PAVOORCHATRAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.D.GANESHAMOORTHY Advocate SR.No.26153

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ORDER

IN

CRL OP(MD) No.7891 of 2016

Date :11/05/2016