



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

Tuesday, the Second day of February Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.883 of 2016

V.LINGAM

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
SANKARANKOVIL TALUK,
TIRUNELVELI DISTRICT,
CR NO. 2/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.SHANKAR GANESH 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 apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 4(1)(a) T.N.P.Act r/w 20(b)(ii)(B) N.D.P.S.Act, in Crime No.2 of 2016, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.R.Shankar Ganesh, learned counsel appearing for the petitioner / 2nd Accused and Mr.A.P.Balasubramanian, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that 2 Kgs., of Ganja was seized from the 1st Accused, on whose confession the petitioner / 2nd Accused was implicated in this case.

4. Taking into consideration the fact that there is no previous case against the petitioner / 2nd Accused and based on the confession statement given by the 1st Accused, he was implicated in this case, this Court is of the view that this a fit case to grant anticipatory bail to the petitioner / 2nd Accused. 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, Sankarankovil, Tirunelveli District, on condition that the petitioner / 2nd Accused 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



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or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / 2nd Accused shall report before the respondent Police daily at 06.30 p.m., for a period of two weeks and thereafter as and when required for interrogation.
- (ii) the petitioner / 2nd Accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / 2nd Accused 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 / 2nd Accused in accordance with law as if the conditions have been imposed and the petitioner / 2nd Accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

02/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TIRUNELVELI DISTRICT.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
SANKARANKOVIL TALUK, TIRUNELVELI DISTRICT

+1. CC to M/S R.SHANKAR GANESH Advocate SR.No.6480

akm/05.02.2016/ 2p-6c/NGM/SS/SAR-I

ORDER

IN

CRL OP(MD) No.883 of 2016

Date :02/02/2016