

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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20593 of 2016

M.THANGARAJ,

... PETITIONER / ACCUSED No.1

Vs

State rep.by

THE INSPECTOR OF POLICE

NAVALPATTU POLICE STATION, TRICHY DISTRICT

CR.NO. 94 OF 2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.ANANDHAVALLI 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 427 I.P.C., @ 447 I.P.C., and 3(1) T.N.P.P.D.L.Act, in Crime No.94 of 2014, on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard Mrs.J.Anandhavalli, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that earlier this Court, by Order dated 22.01.2015, in Crl.O.P.(MD) No.11368 of 2014, granted anticipatory bail to the petitioner. But, he had not produced sureties in time before the Court below and on account of which, the anticipatory bail granted to him got lapsed. The petitioner filed an affidavit, dated 06.10.2016, giving reasons for not producing sureties in time.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner on certain terms. Accordingly, the petitioner is directed to pay a sum of Rs.5,000/- (Rupees five thousand only) to the Caretaker, Creche attached to the Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order and on production of challan for such payment before the learned Judicial Magistrate No.III, Tiruchirappalli, he is ordered to be released on bail in the event of arrest or on his appearance before the learned Magistrate, within a period of fifteen days thereafter, on another 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., until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 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].

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/-
26/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUCHIRAPPALLI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION, TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Copy to: The Caretaker, Creche
The Madurai Bench of Madras High Court, Madurai,

+1. CC to M/S.J.ANANDHAVALLI Advocate SR.No.63996

sm:GSV-PM:SAR 3:03/11/2016:2P/7C

ORDER
IN
CRL OP(MD) No.20593 of 2016
Date :26/10/2016