



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

Wednesday, the Eighth day of February Two Thousand Seventeen

PRESENT

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

CRL OP (MD) No.1026 of 2017

PANDIARAJAN

... PETITIONER/ACCUSED (SOLE)

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
APPANANICKENPATTI
POLICE STATION,
CRIME NO.5 OF 2017,
VIRUDHUNAGAR DISTRICT .

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.SENTHIL KUMAR 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 :-

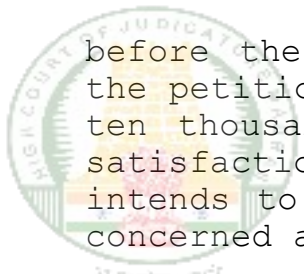
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 447 and 353 of IPC in Crime No.5 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to some dispute the petitioner entered into the Police Station and destroyed the papers and prevented the police officials from doing their duties.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the de facto complainant is the Sub Inspector of Police.

4.The learned Government Advocate (Crl.side) submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the nature of allegations levelled against the petitioner, 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 15 days from the date on which the order copy is made ready,



before the learned Judicial Magistrate, Sathur, 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 Judicial Magistrate, Sathur, 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/-
08/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHUR, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
APPANANICKENPATTI POLICE STATION.
VIRUDHUNAGAR DISTRICT .
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.SENTHIL KUMAR Advocate SR.No.7154

NBJ
CSL/SV-MMS/SAR-III/14.02.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.1026 of 2017
Date :08/02/2017