



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

Wednesday, the Twenty Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12095 of 2017

RAJA

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
THACHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. NOT KNOWN OF 2017

... RESPONDENT

For Petitioner : M/S.P.M.VISHNUVARTHANAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.S.PALANI VELAYUTHAM, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(ii) of IPC, in Crime No.Not Known of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a lorry owner. He stated that the petitioner did not hand over proper accounts for the vehicle drew by the petitioner and he has taken the vehicle, the key of the vehicle and the collected amounts, thereby he gave a complaint before the respondent police in order to trace the vehicle as well as the employee. The respondent police registered a complaint against the petitioner/driver.

3.The learned counsel for the petitioner submitted that the petitioner did not come to duty for a period of two weeks due to his illness. Aggrieved by the same, the lorry owner gave a false complaint in order to settle the personal vengeance against the petitioner.

4.The learned counsel appearing for the intervenor would submit that till date the petitioner did not hand over the lorry and also did not return the amount collected by the petitioner to the defacto complainant, thereby he sustained huge loss.



5. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner appeared in the police station with key in order to handover the same. However, the vehicle is parked only in the business premises of the defacto complainant.

6. Considering the facts and circumstances of the case and also considering the fact that, I am inclined to grant anticipatory bail to the petitioner with certain conditions. 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 Court No.IV, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioner shall not commit any offence while on bail;

(v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
25/10/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
THACHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.33203

+1 cc to MR.S.PALANIVELAYUTHAM, Advocate SR.No.33249

ORDER

IN

CRL OP(MD) No.12095 of 2017

Date :25/10/2017

SMA/RR-BS/SAR-2/31.10.2017:3P/7C