



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

Monday, the Eighteenth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12123 of 2017

SURESH @ SURESHKUMAR

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PASUVANTHANAI POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.98 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : MR.LAKSHMI GOPINATHAN for
M/S.POLAX LEGAL SOLUTIONS Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

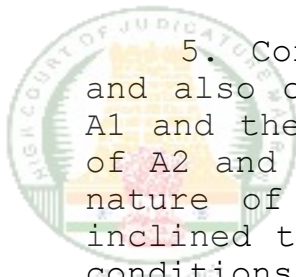
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC., in Crime No.98 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the accused said to have taken away a gas cylinder, which is attached to Hitachi Poclain, which is used for granite quarrying.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally 4 accused in this case. The FIR was registered against unnamed accused. The petitioner herein is arrayed as A4. He also submitted that A1 to A3 were arrested and released on bail by the learned Judicial Magistrate No.2, Kovilpatti. He also submitted that the accused said to have taken away a gas cylinder, which is attached to Hitachi Poclain, which is used for granite quarrying. The said property was recovered from A1. On A2's confession, the petitioner and other accused are implicated in this case and the investigation is still pending.



5. Considering the above facts and circumstances of the case and also considering the fact that the property was recovered from A1 and the petitioner is implicated on the basis of the confession of A2 and the petitioner is not having any previous case of similar nature of offence and also release of co-accused, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Kovilpatti, 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 the petitioner shall report before respondent Police daily at 10.30 a.m., until further orders, for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
18/09/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PASUVANTHANAI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.POLAX LEGAL SOLUTIONS Advocate SR.No.30916

ORDER
IN
CRL OP(MD) No.12123 of 2017
Date :18/09/2017