



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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12915 of 2017

BOOPATHI

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
UPPILIYAPURAM POLICE STATION,
TRICHY DISTRICT.
CR.NO.NOT KNOWN/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SIVABALAN Advocate

For Respondent : MR.C.RAMESH, 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 offence punishable under Sections 379, 420 & 506(ii) of IPC, in Crime No. Not Known of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

5.The learned Additional Public Prosecutor submitted that the petition enquiry is pending.

6.Considering the facts and circumstances of the case and also considering the fact that petition enquiry is pending, this Court is 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, Thuraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten



thousand only) each 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 respondent Police daily at 10.30 a.m. for a period of one week.

[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/-
27/09/2017

/ TRUE COPY /

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

RMI/RMK/PMU

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
UPPILYAPURAM POLICE, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SIVABALAN Advocate SR.No.31678

GJM/RR/BS/SAR-I-3.10.17-2P-6C

ORDER
IN
CRL OP(MD) No.12915 of 2017
Date :27/09/2017