



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

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13461 of 2017

SATHEESH ALIAS SHAJIL RAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO.324/2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.KARMEGAM Advocate

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

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

ORDER : The Court Made the following order :-

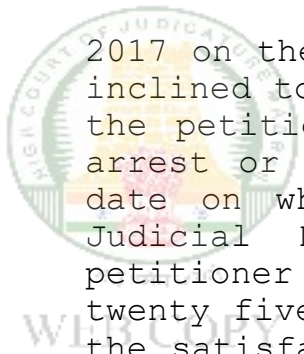
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 435, 294 (b), 506(i) I.P.C., in Crime No.324 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.07.2017 at about 8.00 p.m, due to previous enmity, the shop of the defacto complainant was fired by the petitioner thereby the articles of the petty shop was damaged worth about Rs.25,000/- .

3.The learned counsel for the petitioner submitted that the petitioner is falsely implicated in this criminal case and he did not commit any offence as alleged by the prosecution. However, the learned counsel for the petitioner agrees to deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) towards damages caused by the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that the petty shop was fired by the petitioner, thereby, the defacto complainant's property worth about Rs.25,000/- were damaged. Hence, he prays for dismissal of this anticipatory bail petition.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner that the petitioner would pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.324 of



2017 on the file of the Judicial Magistrate, No.I, Kulithurai, 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 No.I, Kulithurai, 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 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 deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) to the credit of Crime No.324 of 2017 on the file of the Judicial Magistrate No.I, Kulithurai without prejudice his contention before the trial Court and on such deposit, the concerned Magistrate is to disburse the same as interim compensation to the defacto complainant within a period of 2 weeks from the date of deposit, and thereafter, the Magistrate accept the sureties furnished by the accused person.

(ii) the petitioner shall report before the respondent Police as and when required by the investigation officer.

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

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

(v) on breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-

06/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KULITHURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT
- 3 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION, KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.K.KARMEGAM Advocate SR.No.32298

ORDER IN

CRL OP(MD) No.13461 of 2017

Date :06/10/2017