



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15230 of 2017

R.SURESH KUMAR

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PERUNALI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.153/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PANIMAHARAJA, Advocate for
M/S.C.M.ARUMUGAM Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

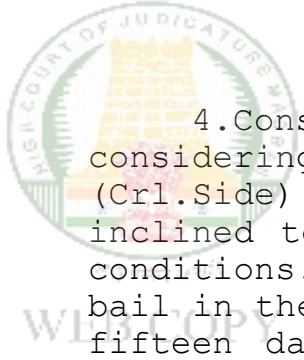
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehend arrest at the hands of the respondent police for the offence punishable under Section 147, 294(b), 452, 506(i) of I.P.C. r/w. Section 3 of TNPPDL Act, in Crime No.153 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is none other than the brother's son of the defacto complainant. Due to the property dispute the petitioner came to the defacto complainant's house and caused damages for worth about Rs.20,000/-. Hence, a case has been registered against the petitioner for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The property in question was allotted to the petitioner which was not handed over by the defacto complainant, thereby there was a quarrel between them. However, he fairly conceded that the petitioner is ready and willing to deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) to the credit of the concerned Judicial Magistrate, without prejudice to their rights and contentions.



4. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side) that the petitioner did not have any previous case, 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, Kamuthi, Ramanathapuram District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) to the credit of Crime No.153 of 2017 before the learned Judicial Magistrate, Kamuthi, without prejudice to his defence before the trial Court.
- (ii) The petitioner shall appear before the respondent police as and when require for interrogation on receipt of summons.
- (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 tamper with evidence or witness either during investigation or trial.
- (v) the petitioner shall not abscond either during investigation or trial;
- (vi) the petitioner shall not commit any offence while on bail;
- (vii) 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/-
09/11/2017

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI,
RAMANATHAPURAM DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
 3. THE INSPECTOR OF POLICE,
PERUNALI POLICE STATION, RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.34181

ORDER
IN
CRL OP(MD) No.15230 of 2017
Date :09/11/2017

MS/PM-PN/SAR.1/16.11.2017/3P.6C