



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

Friday, the Tenth day of November Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15365 of 2017

SURESH KANNAN

... PETITIONERS/ 1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THISAIYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 321 OF 2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER, 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 :-

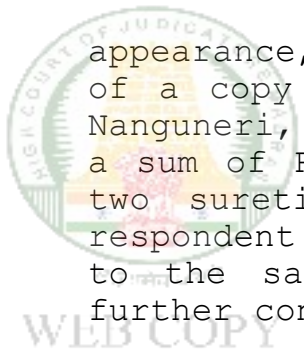
The petitioner herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 147,148,294(b),364,323, 307 and 506(ii) I.P.C., in Crime No.321 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 18.10.2017, the petitioner along with other four accused persons abducted the defacto complainant, who is the lorry driver and attacked him, thereby, the defacto complainant sustained injuries and admitted in the hospital.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that the petitioner was working in Police Department and he blocked the defacto complainant, who is the sand theft accused by his own lorry from stealing sand from the river. For which, the petitioner, has been implicated falsely due to the previous enmity.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the petitioner who was working in Police Department acted against welfare of the State in collusion with the other accused persons. Hence, he prays this Court to impose some stringent condition against the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is 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, Nanguneri, 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 report before the Superintendent of Police, Tirunelveli daily at 10.30 a.m and 5.30.p.m until further orders.

(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 abscond either during investigation or trial.

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

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
10/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NANGUNERI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
THISAIYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.
4. THE SUPERINTENDENT OF POLICE, TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.A.EBENEZER Advocate SR.No.34290

ORDER IN
CRL OP(MD) No.15365 of 2017
Date :10/11/2017