



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.15380 of 2017

SHAKE ABDULA

... PETITIONER/ ACCUSED (RANK NOT KNOWN)
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.50/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ, 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 :-

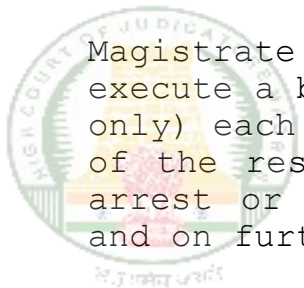
The petitioner herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 (N.P) I.P.C., in Crime No.50 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the respondent police recovered the missed two wheeler from the petitioner, thereby the petitioner has been implicated under Section 379 I.P.C., by the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner has borrowed a bike from his friend. When he got hold by the respondent police, at that time only he came to know that the vehicle had being theft one. He further submitted that the petitioner is an innocent person and he has been falsely implicated by the respondent police.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that he did not disputed the above said of facts, now the disputed vehicle is in the judicial custody and investigation is almost completed.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that he did not disputed the above said of facts and the vehicle was recovered, 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 No.I, Sivagangai 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 respondent police daily at 10.30 a.m. for a period of three weeks, thereafter as and when required for interrogation.

(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.

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

(v) 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 NO.I, SIVAGANGAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
3. THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.34246

ORDER IN
CRL OP(MD) No.15380 of 2017
Date :10/11/2017