



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

Monday, the Thirteenth day of February Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1563 of 2017

1 MURUGAN

... PETITIONER / ACCUSED NO.2

Vs

1 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
TUTICORIN DISTRICT
CR NO. 8/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNTH Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

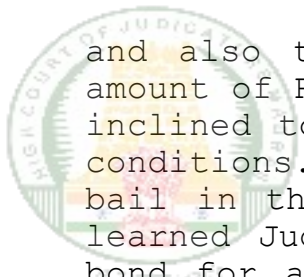
The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C., in Crime No.8 of 2017 on the file of the respondent police and hence, seek anticipatory bail.

2. The learned Government Advocate (Crl.side) appearing for the respondent states that totally there are two accused in this case and the petitioner herein is A2, who is the owner of the vehicle through which, the stolen 15 banana bunch valid about Rs.3,000/- were transported and were sold in the market and A1 is in custody. He further states that there is no previous case against the petitioner.

3. The learned counsel for the petitioner states that the petitioner is innocent and he did not commit any offence as alleged by the prosecution and there was a civil dispute between the de-facto complainant and the petitioner for sharing the common water. Therefore, in order to wreck vengeance, he made a false complaint against the petitioner herein. He further states that the petitioner is willing to deposit the amount of Rs.3,000/- without prejudice to the contentions in this case and also to show his bona fide and that he is innocent and he has been falsely implicated in this case.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Considering the above facts and circumstances of the case



and also the fact that the petitioner is willing to deposit the amount of Rs.3,000/- towards the loss of banana bunch, 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 his arrest or on his appearance before the learned Judicial Magistrate, Srivaikundam and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Crime No.8 of 2017 before the learned Judicial Magistrate, Srivaikundam and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
13/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SRIVIKUNDAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TUTOCORIN DISTRICT

3 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
TUTICORIN DT,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.THALAI MUTHARASU Advocate SR.No.7870

PSM/MR/SAR1/21.02.2017/2P/6C

ORDER
IN
CRL OP(MD) No.1563 of 2017
Date :13/02/2017