



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16631 of 2017

RAMESH

... PETITIONER/ A-2

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 172/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM, Advocate

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

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

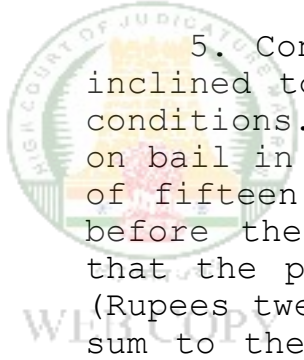
ORDER : The Court Made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 294(b) and 506(ii) of IPC, in Crime No.172 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner borrowed a sum of Rs.1,25,000/- from the defacto complainant in order to redeem the jewels. Thereafter, on 18.06.2017, when the defacto complainant demanded the said amount, the petitioner along with other accused persons abused the defacto complainant using filthy language and threatened him with dire consequences. Based on the complaint, a case has been registered for the above said offences against the petitioner and other accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail. He further submitted that though the occurrence had taken place in the month of June, 2017, after conducting enquiry, the respondent police closed the complaint. The earlier anticipatory bail petition filed before the Principal District and Sessions Court, Thoothukudi, was dismissed on 24.11.2017.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is still pending.



5. Considering the facts and circumstances of the 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, Sathankulam, 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 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 investigation officer as and when required;

(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 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 petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
22/12/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SATHANKULAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
3. THE SUB INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.K.MANICKAM Advocate SR.No.36905

ORDER IN
CRL OP(MD) No.16631 of 2017
Date :22/12/2017