



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

Monday, the Eleventh day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.17012 of 2017

SUNDAR @ GNANA STEPEN

... PETITIONER/2nd ACCUSED

Vs

THE STATE OF TAMILNADU
THROUH INSPECTOR OF POLICE
ARALVAIMOZHY, NAGERCOIL,
KANYAKUMARI DISTRICT
(CRIME NO.436/17)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.MOHAMED HANEEF Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

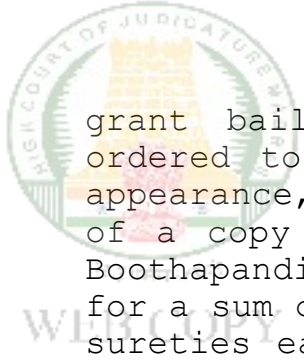
The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C., in Crime No. 436 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that petitioner along with another accused stolen the goat from the defacto complainant's house. Aggrieved by the same, the defacto complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution. However, the alleged theft of goat was recovered by the respondent police and the same was handed over to the defacto complainant.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that he did not dispute the facts stated by the learned counsel for the petitioner.

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 dispute the facts, I am inclined to



grant bail to the petitioner, 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, Boothapandi, 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 respondent police, daily at 10.30 a.m., for a period of two weeks,;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(iv) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(vi) the petitioner shall not abscond either during investigation or trial;

(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/-

11/12/2017

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

TO

1 THE JUDICIAL MAGISTRATE, BOOTHAPANDI

2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3 THE INSPECTOR OF POLICE
ARALVAIMOZHY, NAGERCOIL, KANYAKUMARI DISTRICT

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

+1. CC to M/S.A.MOHAMED HANEEF Advocate SR.No.36016

ORDER IN
CRL OP(MD) No.17012 of 2017
Date :11/12/2017