



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.17751 of 2017

MURUGAN @ MOOKKANDY

...PETITIONER /ACCUSED NO.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
MURAPPANADU POLICE STATION,  
THOOTHUKUDI DISTRICT.  
CRIME NO.263 OF 2017

... RESPONDENT

For Petitioner : M/S.P.M.VISHNUVARTHANAN, 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 :-

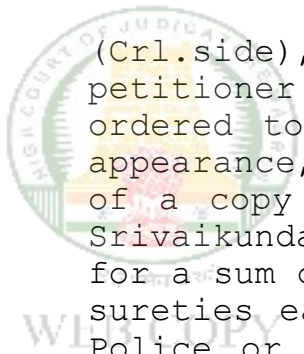
The petitioner/accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.263 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 16.12.2017, when the defacto complainant returned from his Agricultural Farm, he found that two goats were missing from his house. On enquiry, it is informed that A1 and this petitioner stolen the same. Based on the complaint, a case has been registered for the above said offences.

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. However, he submitted that the petitioner is ready to deposit whatever amount imposed by this Court and prays for anticipatory bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that already the petitioner involved in similar offence, but no one filed any complaint against him till now and nearly 100 goats were stolen by the petitioner so far. In this case, investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side), 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, Srivaikundam, 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 deposit a sum of Rs.12,000/- (Rupees twelve thousand only) to the credit of Crime No.263 of 2017 on the file of the learned Judicial Magistrate, Srivaikundam, without prejudice to his defence before the trial Court;

(ii) the petitioner shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

(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 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, SRIVAIKUNDAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
3. THE INSPECTOR OF POLICE,  
MURAPPANADU POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.37004

ORDER IN  
CRL OP(MD) No.17751 of 2017  
Date :22/12/2017

**MS/RR/SAR.4/27.12.2017/2P.6C**