



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18051 of 2017

ANBAZHAGAN

... PETITIONER/ACCUSED RANK 1

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
THIRUPADAIMARUTHUR POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO. 335/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.RAJESHKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC in Crime No.335 of 2017 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has loaded one unit of sand in Tractor bearing Registration number TN 72 P 8484 and on seeing the respondent police, the petitioner escaped from the place of occurrence.

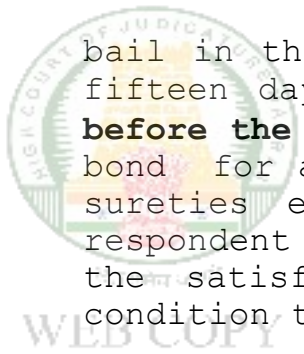
4. The learned counsel for the petitioners submitted that the petitioner is innocent and he has been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) would submit that the petitioner has no previous case.

6. Considering the facts and circumstances of the case and taking note of the fact that the quantity is minimal and the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner.

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

7. Accordingly, the petitioner is ordered to be released on



bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, **before the Judicial Magistrate, Cheranmahadevi**, on his 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned and on further condition that:

[a] the petitioner shall deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of Crime No.335 of 2017 before the learned Judicial Magistrate, Cheranmahadevi.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
28/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE,
THIRUPADAIMARUTHUR POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.RAJESHKUMAR Advocate SR.No.37091

ORDER
IN
CRL OP(MD) No.18051 of 2017
Date :28/12/2017