



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

Friday, the Seventh day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8568 of 2017

ALEX @ ALEX PAUL ALEXANDER

... PETITIONER/ACCUSED NO.I

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.157 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.R.MURUGESAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 427, 506(ii) and 379 IPC in Crime No.157 of 2017 on the file of the respondent Police, seeks anticipatory bail.

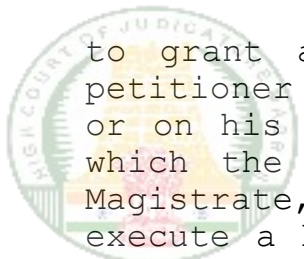
2.The case of the prosecution is that the de facto complainant is a tenant in the house, which belongs to one Anandakrishnan and in order to vacate the de facto complainant, the said Anandakrishnan induced the other accused and that the petitioner along with other accused damaged the house articles of the de facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is working as an advocate clerk under the said Anandakrishnan and a suit in O.S.No.120 of 2015 is pending before the Sub Court, Pattukkottai between the de facto complainant and the said Anandkrishnan.

4.The learned Additional Public Prosecutor would submit on instruction that totally there are one named and 50 others and the petitioner is arrayed as A1 in this case. He also submitted that the petitioner along with other accused caused damage to the house articles of the defacto complainant and no one sustained injury. He further submitted that investigation is pending.

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

5.Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, I am inclined



to grant anticipatory 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Pattukottai, on condition that the petitioner shall execute 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 learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

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

[d]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 learned 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/-
07/07/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.R.MURUGESAN Advocate SR.No.64118

NBJ
CSL/CM-MSA/SAR-I/14.07.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.8568 of 2017
Date : 07/07/2017