



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

Monday, the Seventeenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9073 of 2017

MAYANDI @ MAHARAJAN

... PETITIONER / RANK NOT KNOWN

Vs

THE STATE OF TAMILNADU  
REPRESENTED BY  
THE INSPECTOR OF POLICE  
TISAIYANVILAI POLICE STATION,  
TIRUNELVELI DISTRICT  
CRIME NO. 143/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.BALAKRISHNAN 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 :-

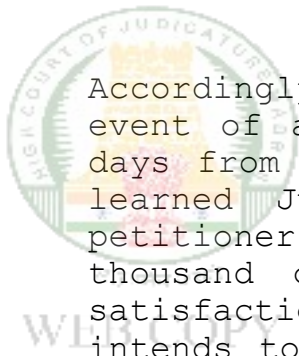
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 302 IPC, in Crime No.143 of 2017 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that A.1 and A.2 committed murder of the deceased and thereafter, the petitioner is said to have given shelter to A.1 in this case. Originally, the petitioner's name is not found place in the F.I.R and subsequently based on the confession of A.1, he has been implicated in this case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

3.The learned Additional Public Prosecutor submitted that investigation is pending.

4.Considering the facts and circumstances of the case and also considering the fact that even from the confession of A.1, the petitioner is only said to have given assurance to A.1 that he will give shelter to him, this Court is 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, Nanguneri, 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 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. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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/-  
17/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE  
TISAIYANVILAI POLICE STATION,  
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.R.BALAKRISHNAN Advocate SR.No.26694

SM:CM-MSA:SAR I:20.7.2017:2P/6C

ORDER  
IN  
CRL OP(MD) No.9073 of 2017  
Date :17/07/2017