



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9413 of 2017

GANESH KUMAR

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
WOORAIYUR POLICE STATION,
TRICHY DISTRICT.
CRIME NO.669 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.C.RAMESH, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

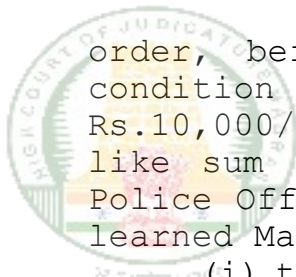
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4 (1)(i), 4(1) (a) r/w. Section 24 of TNP Act, in Crime No.669 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, the respondent police found that the petitioner is running his Bar beyond the closing time and registered the case.

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

4.The learned Additional Public Prosecutor submitted that already the petitioner was granted anticipatory bail by the District and Sessions Judge, Trichy, but he failed to produce sureties in time. Hence, this petition.

5.Considering the facts and circumstances of the case, 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 No.IV, Trichy, 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 appear before the respondent police as and when required for interrogation.
- (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 5370]**.

sd/-

01/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE INSPECTOR OF POLICE
WOORAIYUR POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.27837

MRN/PJL

CSL/RR-BS/SAR-I/03.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.9413 of 2017

Date : 01/08/2017