



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

Thursday, the Twenty Second day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5358 of 2017

M.UTHAYAGANTH,

... PETITIONER / ACCUSED No.1

Vs

The State rep.by
THE INSPECTOR OF POLICE,
PAPPAKUDI POLICE STATION, TIRUNELVELI,
TIRUNELVELI DISTRICT.
(CR.NO.154/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. M.PALANIVEL 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 :-

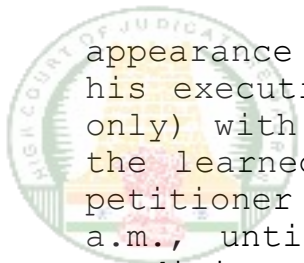
The petitioner, who is arrayed as A-1, in Crime No.154 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned Additional Public Prosecutor on instructions submitted that the petitioner is said to have committed theft of river sand. He further submitted that this is the fourth anticipatory bail petition filed by the petitioner. The earlier anticipatory bail petitions were dismissed by this Court.

4. Perusal of the records shows that earlier anticipatory bail petitions were dismissed by this Court and the first anticipatory bail petition was dismissed as withdrawn on 03.02.2015. However, till date the respondent police did not take any action to secure the petitioner/accused.

5.Considering the above said 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 before the learned Judicial Magistrate, Alangulam and 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

WEB COPY

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

22/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S. M.PALANIVEL Advocate SR.No.24845

SM:RR-BS:SAR 2:28.6.2017:2P/6C

ORDER

IN

CRL OP(MD) No.5358 of 2017

Date :22/06/2017