



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5734 of 2018

CHOKKALINGAM

... PETITIONER/ACCUSED 1

Vs

THE STATE BY,
THE INSPECTOR OF POLICE,
ALAGAPPAPURAM POLICE STATION,
SIVAGANGAI DISTRICT.
IN CR.NO. 17 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENKATESH, Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 448, 427, 379, 294(b) & 506(i) of IPC, in Crime No.17 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant questioned the petitioner with regard to damage of fence, the petitioner admitted the guilt and scolded the defacto complainant with filthy language and threatened with dire consequences. Hence, the case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioner is that a false complaint has been lodged with an ulterior motive and that the petitioner is no way connected with the alleged occurrence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Criminal side) submitted that the damaged value of the articles would around Rs.30,000/-.



5. Considering the facts and circumstances of this 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, Karaikudi and 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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.17 of 2018 before the Jurisdictional Magistrate and the said deposit will be made within a period of two weeks from the date of copy of receipt of this order and that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

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 shall stand dismissed.

sd/-
11/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
ALAGAPPAPURAM POLICE STATION, SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.5918

ORDER
IN
CRL OP(MD) No.5734 of 2018
Date :11/04/2018

PK/RR-CSL/SAR-2/16.04.2018 : 2P/6C