



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7654 of 2018

RAMASUBBU

... PETITIONER /1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CHOKKAMPATTI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.100 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.J.KARTHICK Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

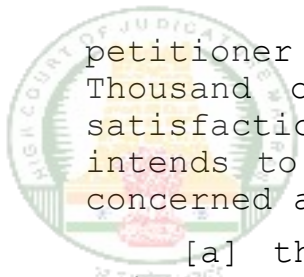
The petitioner / A1, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 379 IPC in Crime No.100 of 2018, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused are said to have cut and removed the 7 Palm trees in the National Highways Without obtaining permission from the authorities. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police would submit that the stolen property was recovered and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that the stolen property was recovered, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the sum of Rs. 10,000/- 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, Tenkasi, 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
09/05/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.J.KARTHICK Advocate SR.No.8274

ORDER
IN
CRL OP(MD) No.7654 of 2018
Date :09/05/2018

MS/PMI/GSR/11.05.2018/2P.6C