



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

Friday, the Twenty Ninth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.8508 of 2018

1 E.VENKADASH

2 S.SENTHILKUMAR

... PETITIONERS / A-1 & A-2

Vs

THE STATE OF TAMIL NADU
THE INSPECTOR OF POLICE
SUTHAMALI POLICE STATION,
TIRUNELVELI DISTRICT
IN CRIME NO.183 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.JOSEPH JERRY Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 an A2 apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 379 of IPC in Crime No.183 of 2018 on the file of the respondent Police, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners.

3.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the first petitioner is arrested and is in custody and it is further stated that the first petitioner is having two previous cases of similar nature and proceedings under the Goondas Act is likely to be initiated against the first petitioner.

4.The learned counsel for the petitioners submitted that he is not pressing the petition against the first petitioner. The petition for the first petitioner is dismissed as not pressed.

5.The learned counsel for the petitioners would submit that second petitioner is only the Driver of the vehicle and there is no



previous case against him. The second petitioner has to look after his family and prayed that the second petitioner is to be released on anticipatory bail.

6. Considering the facts and circumstances of the case that the second petitioner is not having any previous case and also considering the fact that the second petitioner is only the Driver of the vehicle, this Court is inclined to grant anticipatory bail to the second petitioner alone. The second 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, Cheranmahadevi, Tirunelveli District on condition that the second petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 second petitioner shall report before the respondent police, daily at 10.00 a.m., until further orders;

(ii) the second petitioner shall report before the respondent police, as and when required for interrogation;

(iii) the second petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the second petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the second petitioner shall not commit any offence while on bail;

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
29/06/2018

/ TRUE COPY /

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



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

+1. CC to MR.A.JOSEPH JERRY Advocate SR.No.11975

MRN

JAM/04/07/2018/ PMI/RNB/ 3P-6C

ORDER

IN

CRL OP(MD) No.8508 of 2018

Date :29/06/2018