



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

Thursday, the Twenty Eighth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.10629 of 2018

T.SAGAYAM

... PETITIONER / ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
ETHAMOZHI POLICE STATION,  
KANYAKUMARI DISTRICT.  
CRIME NO.78 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.H.VELAVADHAS Advocate

For Respondent : Mr.A.ROBINSON, Government Advocate(Crl.Side)

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

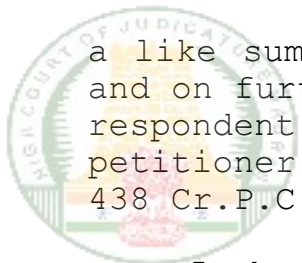
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 I.P.C., in Crime No.78 of 2018, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.The matter involves illegal removal of the timber of teak wood belonging to the defacto complainant. The learned counsel for the petitioner submits that his vehicle was stolen and that the person who stole the vehicle had committed the theft of timber in question. But, there is nothing on record to show that the petitioner has given police complaint immediately, after his vehicle was stolen. However, taking note of the value of goods worth about Rs.15,000/- (Rupees fifteen thousand only), the petitioner shall deposit a sum of Rs.5,000/-(Rupees five thousand only) to the credit of Crime No.78 of 2018 before the Jurisdictional Magistrate. The defacto complainant is entitled to withdraw the said amount.

4.Subject to this condition, 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 No.111, Nagercoil 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

5. 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/-  
28/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE  
ETHAMOZHI POLICE STATION, KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.H.VELAVADHAS Advocate SR.No.11572

ORDER  
IN  
CRL OP(MD) No.10629 of 2018  
Date :28/06/2018

**MS/PN/RNB/29.06.2018/2P.6C**