



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

Tuesday, the Eighteenth day of December Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21941 of 2018

ANANDARAJ

... PETITIONER /3rd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SANKARANKOVIL TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.240/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.RAMU, Advocate
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

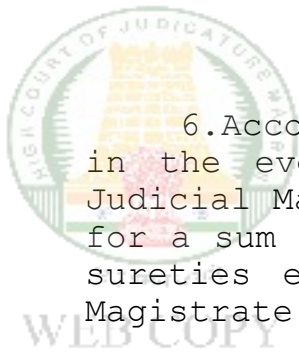
The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 506(ii) IPC and Section 3 of TN Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.240 of 2018, seek anticipatory bail.

2. The case of the prosecution is that on 08.12.2018, the petitioner along with two other persons trespassed into the land which is under the control of Tahsildar, Kadappakulam and damaged the fencing stone and threatened by using filthy language.

3. The contention of the petitioner is that he is innocent and he had nothing to do with the alleged crime and hence, anticipatory bail may be granted to him. He further submitted that the cases pending against the accused were either stayed or quashed by this Court.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there are 8 previous cases pending against the petitioner. He has also filed a status report showing the details of cases, pending against the petitioner herein and also submitted that in this case, investigation is going on.

5.Considering the above facts and circumstances of the case,
<https://hcservices.ecourts.gov.in/hcservices/>
this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions:-



6. 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.I, Sankarankovil and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

[a] the petitioner shall deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Cr.No.240 of 2018 on the file of the respondent Police.

[b] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[c] the petitioner shall report before the respondent Police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

18/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, SANKARANKOVIL.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
SANKARANKOVIL TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.M.RAMU Advocate SR.No.23519

ORDER IN

CRL OP(MD) No.21941 of 2018

Date :18/12/2018