



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

Wednesday, the Twenty Fifth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.12732 of 2018

S. RAMESH BABU

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION,
MADURAI.

CR.NO.409 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.BABU RAJENDRAN Advocate

For Respondent : Mr.A.ROBINSON, Govt. 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 380 and 506(i) of IPC, in Crime No.409 of 2018, seeks anticipatory bail.

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

3.The defacto complainant is a practising doctor. The allegation made in the FIR is that the petitioner was called upon to repair the CCTV installed in the premises of the defacto complainant. This was on 21.06.2017. The allegation of the defacto complainant is that on the said day the jewels belonging to the defacto complainant went missing. The suspicion of the defacto complainant is that it was the petitioner who must have committed theft of the said jewels.

4.This Court went through the contents of the FIR. They do not inspire the confidence of this Court. The defacto complainant would further allege that the petitioner had indulged in similar theft of 25 sovereigns of gold and other valuable items even on an earlier occasion. If really, the defacto complainant suffered loss of 25 sovereigns of gold on an earlier occasion, he would have definitely lodged a complaint then and there. But even as per the prosecution

this is the first complaint lodged by the defacto complainant.

5. Therefore, taking into account of the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. However, this observation is made only for the purpose of this petition and this shall not be utilised for any other reason. 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.VI, Madurai 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.

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/-
25/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
- 3 THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.BABU RAJENDRAN Advocate SR.No.13959

TM
JAM/31/07/2018/RR /SAR 1 /2P-6C

ORDER
IN
CRL OP(MD) No.12732 of 2018
Date :25/07/2018