



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

Tuesday, the Fourth day of September Two Thousand Eighteen

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PRESENT

THE HON`BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) No.14598 of 2018

VAIKUNDAM

... PETITIONER / ACCUSED NO.1

Vs

STATE REP BY THE INSPECTOR OF POLICE,
SRIVAIGUNDAM POLICE STATION,
TUTICORIN DISTRICT
CR NO.157 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate

For Respondent : MR.V.NEELAKANDAN, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 387, 307 and 506(ii) I.P.C and Section 25(1A) of Arms Act, 1959, in Crime No.157 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 07.07.2018 at 5.00 p.m the defacto complainant was waiting for Bus, at that time, the petitioner and other accused persons came to the defacto complainant and demanded a sum of Rs.10,000/-. When the same was refused by the defacto complainant, the first and second accused are trying to assault the defacto complainant with aruval. Thereafter, Accused No.4 took his money. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent. Due to ulterior motive, this false case has been given by the defacto complainant. Hence, he prays for anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is having 6 previous cases. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

5.Taking note of the facts and circumstances and also the fact that the defacto complainant did not sustain any injury, 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, Srivaigundam 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 daily at 10.30 a.m until further orders. 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/-
04/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIGUNDAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TUTICORIN .

3 THE INSPECTOR OF POLICE
SRIVAIGUNDAM POLICE STATION, TUTICORIN
DISTRICT



4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY +1. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.16856

ORDER
IN
CRL OP(MD) No.14598 of 2018
Date :04/09/2018

TR/JC/SAR-1 (10/09/2018) 3P/6C