



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

Thursday, the Twentieth day of December Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22551 of 2018

SURESH

... PETITIONER /PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY.
THE INSPECTOR OF POLICE,
THISAIYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME.NO.319/2018)

... RESPONDENT / COMPLAINANT/COMPLAINANT

For Petitioner : Mr.V.MALAIYENDRAN Advocate

For Respondent : Mr.K.SUYAMBULIGNA BHARATHI 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 offence punishable under Sections 147, 448, 294(b), 323, 364 and 506(ii) IPC and Section 3 of TN PPDL Act @ 147, 294(b), 323, 364, 506(ii), 302 and 201 of IPC and Section 3 of TN PPDL Act in Crime No.319 of 2018, seek anticipatory bail.

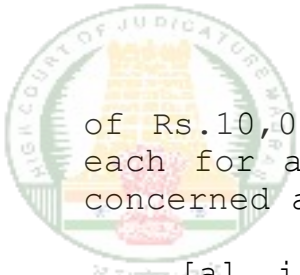
2.The petitioner was earlier granted anticipatory bail by this Court in Crl.O.P.(MD).No.19808 of 2018 on 02.11.2018. Since he was suffering from viral fever, he could not execute the sureties within the stipulated time. Hence, he has come forward with this petition.

3.The learned counsel for the petitioner submits that the petitioner is ready to offer substantial sureties in the event of bail.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent in this regard.

5.Considering the above stated facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, 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, Nanguneri 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] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m until further orders.

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

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

[e] 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]**.

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

sd/-
20/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,NANGUNERI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
THISAIYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.V.MALAIYENDRAN Advocate SR.No.23805
PS/VR/SAR-4/27.12.2018/2P/6C

ORDER
IN
CRL OP(MD) No.22551 of 2018
Date :20/12/2018