



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

Thursday, the Sixth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20885 of 2018

K.JEEVANANDHAM ALIAS JEEVA

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
THANGACHIMADAM POLICE STATION,
THANGACHIMADAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 61/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.BALAMURUGAN 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, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 13(1) and 14 of Foreigners Act, 1946 and 120 (B) of IPC in Cr.No.61 of 2018 seeks anticipatory bail.

2. The case of the prosecution is the petitioner herein is said to have made arrangement for one Ramani to go to his motherland Srilanka by boat and for which he is said to have received Rs.30,000/-. Thereafter on 25.09.2018, the petitioner has made all arrangement and one Aldrin took the said Ramani in fibre boat from Rameswaram, since the boat was not ride comfortable, he requested to arrange for another boat.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. Based on the confession statement of Aldrin and Ramani, this petitioner was implicated in this case. He would also submit that co-accused in this case was enlarged on bail



4. The learned Government Advocate(Crl.Side) would submit that petitioner herein is said to have made arrangement for Ramani to go to his motherland Srilanka by boat and that co- accused were granted bail by this Court.

5. Taking into consideration the facts and circumstances of the case this Court inclined to grant anticipatory bail to the petitioner.

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, Rameswaram, Ramanathapuram District on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

[a] if the petitioners fail 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.

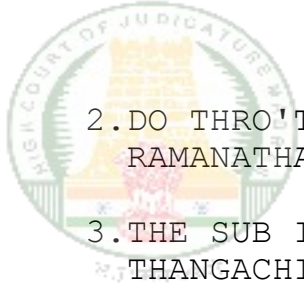
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06/12/2018

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

TO

1. THE JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
RAMESWARAM, RAMANATHAPURAM DISTRICT.



2.DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3.THE SUB INSPECTOR OF POLICE,
THANGACHIMADAM POLICE STATION,
THANGACHIMADAM,
RAMANATHAPURAM DISTRICT.

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

+1. CC to MR.S.BALAMURUGAN Advocate SR.No.22828

ORDER

IN

CRL OP (MD) No.20885 of 2018

Date :06/12/2018

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AE/VR MMS/SAR1/11.12.2018/3P/6C