



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

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2080 of 2019

VINOTH @ VINOTHKUTTI

... PETITIONER / ACCUSED No. 2

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
WEST POLICE STATION,
THANJAVUR DISTRICT
CRIME NO.262/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.MAHESWARAN Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL 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 alleged offence under Section 399 I.P.C. in Cr.No.262 of 2018 on the file of the respondent police, seeks anticipatory bail.

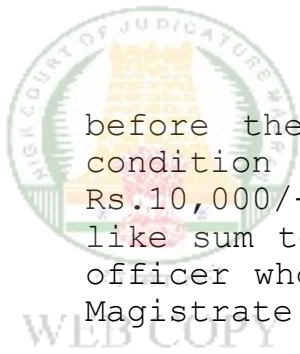
2.It is the case of the prosecution that on a secret information the defacto complainant saw the petitioner along with the other accused sat together and preparing to commit decoity.

3.The learned counsel for the petitioner would submit that the petitioner has not commit any offence as alleged by the prosecution. He would further submit that the co-accused have enlarged on bail by the trial Court.

4.The learned Additional Public Prosecutor would submit that the petitioner has one another case to his credit and he vehemently oppose for grant of trial.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused released on bail, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order,



before the learned Judicial Magistrate Court No.II, Thanjavur on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 6.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

08/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO II, THANJAVUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE
WEST POLICE STATION, THANJAVUR DISTRICT

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

+1. CC to MR.R.MAHESWARAN Advocate SR.No.2792

ORDER IN

CRL OP(MD) No.2080 of 2019

Date :08/02/2019