



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

Tuesday, the Eighth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.261 of 2019

JAYAKANTHAN

... PETITIONER / ACCUSED No. 2

Vs

THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
(CR NO. 395 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.KRISHNAVENI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. 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 379 and 430 of IPC in Cr.No.395 of 2018 seek anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported half unit of sand.

3. The learned counsel appearing for the petitioner would submit that the petitioner was already granted anticipatory bail by this Court in Crl.O.P(MD) No.21656 of 2018 dated 07.12.2018. since the petitioners did not execute sureties within the stipulated time, this petition has been filed.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners were already granted anticipatory bail in Crl.O.P(MD) No.21656 of 2018 dated 07.12.2018.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court inclined to grant anticipatory bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, before the



learned Judicial Magistrate, Vadipatti on condition that the petitioner 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 petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police 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]**.

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

sd/-

08/01/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
VADIPATTI, MADURAI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI
- 3 THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.P.KRISHNAVENI Advocate SR.No. 385

ORDER

IN

CRL OP(MD) No.261 of 2019

Date :08/01/2019