



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

Monday, the Twenty First day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.755 of 2019

THANESKUMAR SIMSON

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
MATHICHIYAM POLICE STATION,
MADURAI CITY.

IN CRIME NO. 580 OF 2018 ... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.SELVARAJ, 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 :-

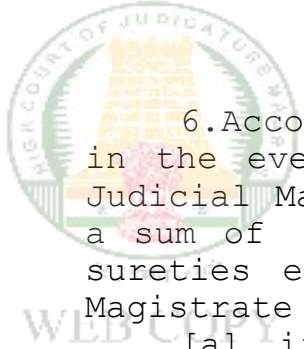
The petitioner/accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 3 (2) (a), 4(2) (C), 5(1) (a), 5(1) (d) of Immoral Traffic Act I.P.C in Crime No.580 of 2018, seeks anticipatory bail.

2. The petitioner was earlier granted anticipatory bail by this Court vide order in Crl.O.P.(MD).No.20809 of 2018, dated 03.12.2018. But, he was unable to execute the sureties within the stipulated time. Hence, he has come forward with this petition.

3. The contention of the petitioner is that due to his illness, he was unable to arrange for sureties. Now, he is ready to co-operate with the investigation and he shall not tamper the investigation and hence, anticipatory bail may be granted to him.

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

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:-
<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, No.II, Madurai 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

[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 pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs, to the credit of Rojavanam, Home for Aged and Poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

[c] The petitioner shall report before the respondent Police as and when required for interrogation.

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

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

[f] 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]**.

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

sd/-
21/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI



3 THE INSPECTOR OF POLICE
MATHICHIAM POLICE STATION, MADURAI CITY.

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

COPY TO: THE OFFICER INCHARGE,
THE ROJAVANAM, HOME FOR AGED AND POOR,
ULAGANERI, MELUR ROAD, MADURAI

+1. CC to MR.R.SELVARAJ, Advocate SR.No.1201

ORDER
IN
CRL OP(MD) No.755 of 2019
Date :21/01/2019

VS
PK/PN/SAR-3/24.01.2019 : 3P/7C