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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22260 of 2018

RAVI ... PETITIONER/ACCUSED No.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KOODAL PUTHUR POLICE STATION,
MADURAI CITY
Crime No.969 of 2018 ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.KARTHIC RAJAN 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 apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Cr.No.969 of 2018 seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant doing business of selling bulls. The first accused approached the defacto complainant for buying bull and paid a sum of Rs.50,000/- out of Rs.1,05,000/- and agreed to pay the balance amount after three days and take the bull with him. But after three days, when the defacto complainant demanded the balance money from the first accused, he refused to do so and stole the bull along with other accused from the defacto complainant.

3.The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged crime.

4.The learned Government Advocate (Crl. Side) submits that A1 is the prime accused. A1 and A2 were arrested in this case and the bull was recovered from A1. The petitioner is A3.

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5.Taking into consideration the facts of the case, 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 No.IV, Madurai, 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 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 petitioner 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/-
02/01/2019

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

TO

1.THE JUDICIAL MAGISTRATE NO IV,
MADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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3.THE INSPECTOR OF POLICE,
KOODAL PUTHUR POLICE STATION,
MADURAI CITY.

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

+1. CC to Mr.R.KARTHIC RAJAN Advocate SR.No.28

ORDER
IN
CRL OP(MD) No.22260 of 2018
Date :02/01/2019

TK/VR/SAR-4/07.01.2019/3P/6C

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