



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22901 of 2018

VIGNESH @ VICKY

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
B1 POLICE STATION,
RAMANATHAPURAM TOWN,
RAMANATHAPURAM DISTRICT.
(*) (CRIME NO. 164 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.BALAJI 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 :-

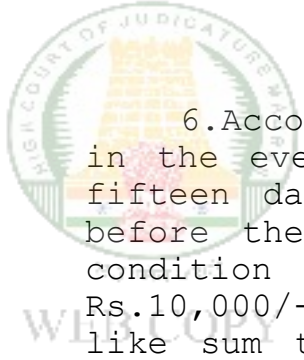
The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Cr.No.164 of 2018 seek anticipatory bail.

2.The case of the prosecution is that on routing vehicle checkup the respondent police found that the first accused in along with the petitioner came in a theft vehicle. Hence, the case.

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 in this case has been arrested and on his confession, the vehicle was recovered and A2 has been implicated.

<https://hcservices.ecourts.gov.in/hcservices/>
5.Taking into consideration the facts of the case and since the property has been recovered, 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.I, Ramanathapuram, 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 daily at 10.30 a.m. for a period of two weeks 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]**.

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

sd/-

04/01/2019

(*)Amended as per the order of Hon' ble Court made in CRL MP(MD).No.17/2019 in CRL OP(MD).NO.22901/2018 vide order dated 04.01.2019 by MNKJ.

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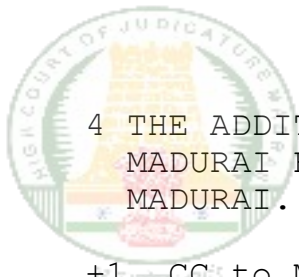
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRAT NO.I,
RAMANATHAPURAM.

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

3 THE INSPECTOR OF POLICE,
P1 POLICE STATION,
RAMANATHAPURAM TOWN,
RAMANATHAPURAM DISTRICT.



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

+1. CC to Mr.S.BALAJI Advocate SR.No.220

WEB COPY

ORDER

IN

CRL OP(MD) No.22901 of 2018

Date :04/01/2019

AE/PN/SAR4/09.01.2019/3P/6C