



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

Date : 22/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10219 of 2019

R.Ravi

... Petitioner/Accused
Rank not known

Vs

The Inspector of Police,
Puthaiamputhur Police,
Tuticorin.
Crime No. 184 / 2017.

... Respondent/Complainant

For Petitioner : M/s.A.Senthil Kumar,
Advocate.

For Respondent : Mrs.M.Anantha Devei,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 184 of 2017 on the file of
the Respondent Police.

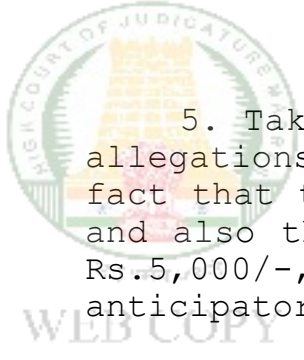
ORDER:

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
353, and 506(ii) of IPC r/w Section 3 of TNPPDL Act, in Crime No.184
of 2017, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that the petitioner is an innocent and he has been
falsely implicated in the above case. The learned counsel for the
petitioner on instructions, would submit that without prejudice to
his rights contentions the petitioner is willing to deposit
Rs.5,000/- to the credit in crime number. Hence, he prayed to grant
anticipatory bail to the petitioner.

4.The learned Government Advocate (crl. side) appearing for the
respondent has submitted that the petitioner was damaged the booth
glass worth about Rs.5,000/-. Hence, she opposed to grant
anticipatory bail to the petitioner. However, she fairly conceded
that no previous case is pending against the petitioners.



5. Taking into consideration the fact that there is no specific allegations levelled against the petitioner herein and also the fact that there is no previous case pending against the petitioner and also the fact that the petitioners has come forward to deposit Rs.5,000/-, as damaged property, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

[6] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or 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, Tuticorin, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] before executing the bail bond the petitioners shall deposit Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No. 184 of 2017 before the learned Judicial Magistrate No.I, Tuticorin District.

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

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

[e] the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

22/07/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. I,
TUTICORIN

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT

3. THE INSPECTOR OF POLICE
PUTHAIAMPUTHUR POLICE STATION,
TUTICORIN DISTRICT.

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

+1. CC to M/S.A.SENTHIL KUMAR Advocate SR.No.12073

ORDER

IN

CRL OP(MD) No.10219 of 2019

Date :22/07/2019

LS

PK/PN/SAR-4/06.08.2019 : 3P/6C