



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

Date : 05/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.11136 of 2019

K.K.Suresh

... Petitioner/3rd Accused

Vs

The State of Tamil Nadu,
Rep.by, The Inspector of Police,
Karungal Police Station,
Karungal,
Kanyakumari District.
Crime No. 239 of 2019.

... Respondent/Complainant

Living Prephet

... Intervening Petitioner/
Defacto Complainant

For Petitioner : M/s.C.K.M.Appaji, Advocate.

For Respondent : Mr.A.Robinson, Government Advocate (Crl.Side)

For Intervenor : Mr.K.P.Narayanakumar, Advocate.

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

PRAYER :-

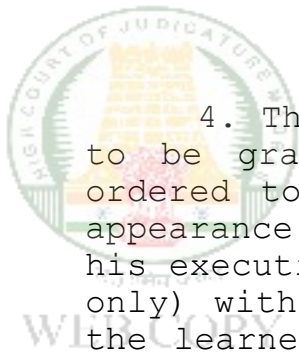
For Anticipatory bail in Crime NO. 239 of 2019 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 468 and 471 of I.P.C., in Crime No.239 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The case of the defacto complainant is that the car that belongs to him was illegally dealt with by accused Nos.1 and 2. Accused Nos.1 and 2 have since been granted bail. No serious allegation has been made against the petitioner.



4. Therefore, I am of the view that the petitioner is entitled to be granted anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Eraniel 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 the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

6. The respondent is however directed to seize the car and produce the same before the jurisdictional Magistrate. The Jurisdictional Magistrate can hear the parties concerned and then pass orders regarding granting of custody.

sd/-

05/09/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ERANIEL,
KANYAKUMARI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL

3. THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION, KARUNGAL,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.C.K.M.APPAJI, Advocate SR.No.14962

+1. CC to M/S.C.K.P.NARAYANAKUMAR, Advocate SR.No.14954

ORDER IN

CRL OP(MD) No.11136 of 2019

Date : 05/09/2019

PMU

PK/MMS/SAR-3/12.09.2019 : 2P/7C

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