



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.22669 of 2022

S.Murugesan

... Petitioner/Accused(Single)

Vs

The State rep.by,
The Inspector of Police,
Kumuli Police Station,
Theni District.
Crime No.83 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Anand R,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

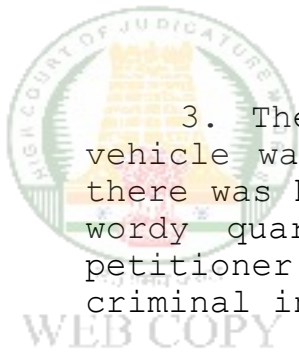
PRAYER :-

For Anticipatory Bail in Crime No.83 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 197 of Motor Vehicles Act, 1988 and Section 381 IPC in Crime No.83 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has received an information that the accused person has taken the bus bearing Regn.No.TN 57 N 1989 without intimating to the higher authorities to the Collector office and on that basis a case has been registered against the petitioner.



3. The learned counsel for the petitioner submitted the vehicle was in a very damaged condition and on the particular day there was heavy rain, leakage inside the bus and hence, there was a wordy quarrel between the passengers and in that circumstances petitioner has taken the vehicle to the Collector office, there was criminal intimidation and hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that on earlier two occasions the petitioner has committed the same act and departmental proceedings initiated, he opposes to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that already departmental proceedings has been initiated against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Uthamapalayam, Theni District 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 stands dismissed.

sd/-
21/12/2022

/ TRUE COPY /

/01/2023

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

trp

TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,



3. THE INSPECTOR OF POLICE,
KUMULI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.ANAND R, Advocate (SR-15382[I] dated 22/12/2022)

ORDER
IN
CRL OP(MD) No.22669 of 2022
Date :21/12/2022

RK/BUC/SAR-2 (06/01/2023) 4P/6C