



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

Friday, the Thirty First day of January Two Thousand Fourteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.1498 of 2014

MARIMUTHU

... PETITIONER/SINGLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION,
THOOTHUKUDI DIST.
CR. NO. 81/2013.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.VINAYAGAN Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is the sole accused apprehending arrest at the hands of the respondent police for the commission of alleged offences punishable under section 379 of I.P.C (N.H.) in Crime No.81 of 2013 on the file of the respondent police seeks anticipatory bail. The offence is said to have been taken place in September 2012.

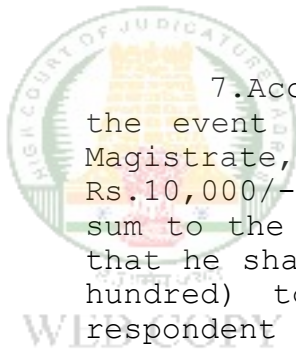
2.The case of the prosecution is that the petitioner herein had cut and removed karuvela trees standing at the lands of the defacto complainant worth about Rs.50,000/-.

3.The learned counsel for the petitioner would submit that though the occurrence had taken place in September 2012, the case has been belatedly on 28.07.2013 with an oblique motive and he has nothing to do with the commission of offence.

4.The learned Government Advocate (criminal side) would submit that the value of the trees cut by the petitioner is worth about Rs.50,000/-.

5.In response to the same, the learned counsel for the petitioner, on instructions would submit that the petitioner without prejudice to his rights and contentions, is ready and willing to deposit a sum of Rs.7,500/- (Rupees seven thousand and five hundred) to the credit of crime number.

6.This Court, taking into consideration of the facts and circumstances, is inclined to enlarge the petitioners on anticipatory bail with certain conditions.



7. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Vilathikulam and on executing a personal 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 on condition that he shall deposit a sum of Rs.7,500/- (Rupees seven thousand and five hundred) to the credit of crime No.81 of 2013 on the file of the respondent police before the learned Judicial Magistrate, Vilathikulam and on further condition that the petitioner shall appear before the respondent police daily at 11.00 a.m. for a period of one week and thereafter, as and when required by them for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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/-

31/01/2014

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN
- 3 THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION, THOOTHUKUDI DIST.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.VINAYAGAN Advocate SR.No.6555

AA/04.02.2014/2p- 6c/

ORDER

IN

CRL OP(MD) No.1498 of 2014

Date : 31/01/2014