



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.1370 of 2015

WEB COPY

1 A. SENTHILKUMAR

2 K. KESAVAN

... PETITIONERS/ACCUSED

Vs

STATE.REP.BY

THE SUB INSPECTOR OF POLICE

PALAMEDU POLICE STATION, PALAMEDU,

MADURAI DT.

CR.NO.11 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.DILIP KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.11 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 341 and 506(i) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that due to wordy quarrel, the petitioners threatened and assaulted the de-facto complainant.

3. It is represented by the learned Government Advocate (Crl. Side) that there is one previous case registered against the first petitioner in Crime No.158 of 2014 for offences under Sections 294(b), 323 and 506(ii) IPC and therefore, this Court is not inclined to grant anticipatory bail to the first petitioner.

4. As this Court is not inclined to grant anticipatory bail for A1, the learned counsel for the petitioner seeks permission to withdraw this petition as against the first petitioner/A1. Accordingly, permission is granted. He has also made an endorsement to that effect. Hence, this petition is dismissed as withdrawn in respect of the first petitioner/A1.

5. As regards the 2nd petitioner is concerned, I am inclined to grant anticipatory bail, but with conditions.

6. Accordingly, the 2nd petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate, Vadipatti, on executing a separate 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the 2nd petitioner shall report before the respondent police



every day twice, i.e. at 10.30 a.m. and 6.30 p.m., for a period of two weeks without fail and thereafter as and when required for interrogation.

[b] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the 2nd petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the 2nd 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].

sd/-

28/01/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE SUB INSPECTOR OF POLICE
PALAMEDU POLICE STATION, PALAMEDU, MADURAI DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No.4109

ORDER

IN

CRL OP(MD) No.1370 of 2015

Date :28/01/2015

PA/30.01.15/2P/6C