



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

Thursday, the Eighth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.149 of 2015

MARIMUTHU

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
KADAMBUR POLICE STATION, TUTICORIN DT,
CRIME NO.126/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.SANKARANARAYANAN Advocate

For Respondent : Mr.A.P.Balasurbramani Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

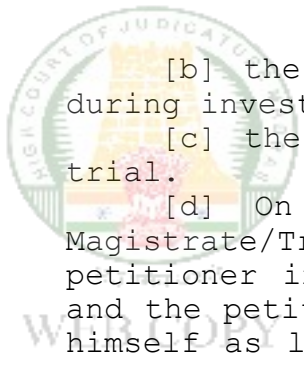
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353 and 506(i) IPC in Crime No.126 of 2014, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Executive Officer of Kadambur Panchayat and the petitioner is a Ward Member. It is alleged that this petitioner had abused the defacto complainant on 16.12.2014 in his office and prevented from discharging her official duty.

3.The learned Government Advocate (Criminal side) submitted that no one injured in this case. The Investigating Officer is also present.

4. Considering the facts and circumstances of the case and also considering the fact that no one injured in this case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on 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.II, Kovilpatti, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall stay at Tirunelveli and sign before Tirunelveli Town Police Station daily at 10.30 a.m. and 6.30 p.m for a period of two weeks and thereafter as and when required for interrogation.



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

[c] the 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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/-
08/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, KOVILPATTI.

2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
KADAMBUR POLICE STATION, TUTICORIN DISTRICT.

5 THE OFFICER INCHARGE,
TIRUNELVELI TOWN POLICE STATION, TIRUNELVELI.

TS/13.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.149 of 2015
Date :08/01/2015