



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

Friday, the Thirtieth day of January Two Thousand Fifteen  
PRESENT

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

CRL OP(MD) No.1549 of 2015

WEB COPY

BALAKRISHNAN

... PETITIONER/SOLE ACCUSED

Vs

STATE.REP.BY  
THE INSPECTOR OF POLICE  
KULASEKARAPATTINAM POLICE STATION,  
THOOTHUKUDI DT,  
CRIME NO.24/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.C.VIJAYAKUMAR 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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 153(A) and 506(i) IPC, in Crime No.24 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that pursuant to the direction issued by the learned Judicial Magistrate Thiruchendur, the present case has been registered. The son of the *de facto* complainant is a physically challenged person and studying in a school. It appears that the petitioner was having dispute with regard to the seniority on account of which, he appears to have filed a Writ Petition before this Court. In this regard, this petitioner appears to have been threatened by one Karuppusamy, for which this petitioner gave a complaint and based on the same, a case in Crime No.217 of 2014 was registered, which relates to an occurrence took place on 11.02.2014 at about 16.35 hours. While so, the *de facto* complainant has made allegations that when he entered into the school premises, this petitioner intercepted him and abused him and his son. This prosecution appears to be a counter blast to the complaint given by the petitioner against the said Karuppusamy.

3. In such circumstances, 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, Thiruchendur, 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 report before the respondent police 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 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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-  
30/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE INSPECTOR OF POLICE  
KULASEKARAPATTINAM POLICE STATION, THOOTHUKUDI DT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.C.VIJAYAKUMAR Advocate SR.No.4364

ORDER

IN

CRL OP(MD) No.1549 of 2015

Date : 30/01/2015