



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

Tuesday, the Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1806 of 2015

UTHAYAKUMAR

... PETITIONER/ SOLE ACCUSED

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

NAZARETH POLICE STATION, THOOTHUKUDI DISTRICT

CRIME NO. 27 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.A. EBENEZER Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN'

Govt. Advocate (Crl. Side)

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

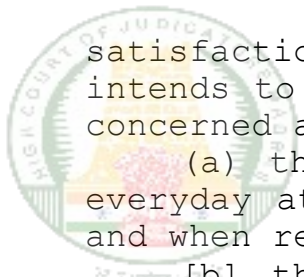
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.27 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 324 and 506(ii) of the Indian Penal Code, the petitioner is now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution, due to a wordy quarrel, it is alleged that the petitioner attacked the de-facto complainant with a wooden log.

3. It is represented by the learned Government Advocate (crl. Side) that the injured has been discharged from the hospital and there is no previous case as against the petitioner. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioner, but with conditions.

4. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sathankulam, 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 petitioner shall report before the respondent police everyday at 10.30 a.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 petitioners 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 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].

[e] The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl. Side), whether the 1st petitioner is complying with the condition or not.

sd/-

03/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE
SATHANKULAM

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

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

4.THE INSPECTOR OF POLICE
NAZARETH POLICE STATION, THOOTHUKUDI DISTRICT

+1. CC to M/S.T.A. EBENEZER Advocate SR.No.4901

RL/6 C- 6/2/2015