



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

Monday, the Twenty First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18160 of 2015

KULLA GOUNDER

... PETITIONER / ACCUSED no.2

Vs

STATE

THE INSEPECTOR OF POLICE

PALAVIDUTHI POLICE STATION,

KARUR DISTRICT

CRIME NO.140/2010.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DOORAISAMY Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 294(b), 341, 324 and 307 of IPC in Crime No.140 of ***2010** on the file of the respondent police and hence, seeks anticipatory bail.

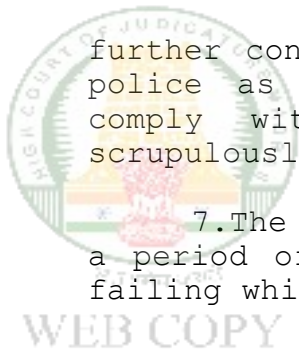
2.The case of the prosecution is that due to previous enmity between the accused and the de-facto complainant, on 13.10.2010 there was a wordy altercation between them, in which the accused attacked the de-facto complainant with lethal weapons and caused injuries.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the alleged occurrence had taken place in the year 2010 and A1 was arrested and released on bail in the year 2010 itself.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that in the alleged occurrence, the injured has sustained only simple injury and after taking treatment, he was discharged from the hospital. It is further submitted that in this case, charge sheet is yet to be filed before the concerned court.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate at Kulithalai and on his executing 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 learned Magistrate concerned and on



further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-

21/09/2015

(*) Corrected order

/ TRUE COPY /

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

TO

To be substituted for the order already despatched on 28/9/2015

- 1 THE JUDICIAL NO.I, KULITHALAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, KARUR
- 3 THE INSEPECTOR OF POLICE
PALAVIDUTHI POLICE STATION,
KARUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.DOORAISAMY Advocate SR.No.55927

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ORDER

IN

CRL OP(MD) No.18160 of 2015

Date :21/09/2015