



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.198 of 2015

JOHN BRITTO

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
SOUTH POLICE STATION, TUTICORIN,
CRIME NO.660 OF 2014 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.PAULMURUGESH 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 :-

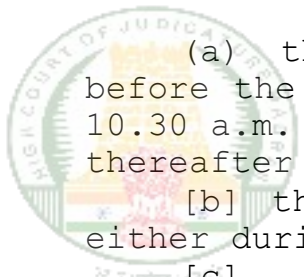
Apprehending arrest at the hands of the respondent police in Crime No.660 of 2014, on the file of the respondent police for offences under Sections 342, 294(b), 307, 506(ii) of the Indian Penal Code, the petitioner is now before this Court seeking Anticipatory Bail.

2. The case of the prosecution is that this petitioner had assaulted the husband of the de-facto complainant, while participating in a fish auction.

3. It is represented that the co-accused has been granted anticipatory bail by the Sessions Court. It is also represented that there is no previous case as against the petitioner and the injured had been discharged from the hospital.

4. Having regard to the nature of offences said to have been committed by the petitioner, I am inclined to grant anticipatory bail to him, but with conditions.

5. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Tuticorin, 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 stay at Palayamkottai and report before the Palayamkottai Police Station twice a day, daily, 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 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 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].

sd/-

08/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I
TUTICORIN

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT

3.THE OFFICER-IN-CHARGE
PALAYAMKOTTAI POLICE STATION, PALAYAMKOTTAI
TIRUNELVELI DISTRICT

4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

5.THE INSPECTOR OF POLICE
SOUTH POLICE STATION, TUTICORIN,

+1. CC to M/S.S.PAULMURUGESH Advocate SR.No.1192

RL/7 C- 12/1/2015

ORDER

IN

CRL OP(MD) No.198 of 2015

Date :08/01/2015