



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2044 of 2015

M.P.BABU SURESH

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICIE STATION,
THANAJVUR DISTRICT.
CR. NO. 10/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V. BALAJI Advocate

For Respondent : M/S.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 apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b) and 506(i) IPC in Crime No.10 of 2015 on the file of the respondent police, seeks anticipatory bail.

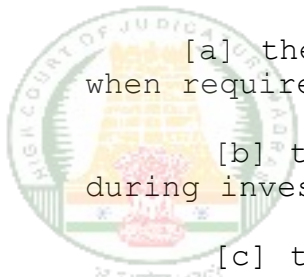
2. It is alleged that as a counter blast to the proceedings in H.M.O.P.No.279 of 2010, a false complaint has been lodged against the petitioner.

3. The learned counsel for the petitioner submits that the petitioner is in no way connected with the alleged occurrence and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) would submit that there was dispute between the husband and wife and hence the complaint.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

6. Considering the facts and circumstances of the 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, Thanjavur, 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



[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 a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-
12/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE
KALLAPERAMBUR POLCIE STATION, THANAJVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V. BALAJI Advocate SR.No. 6584

SR : 16.02.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.2044 of 2015
Date :12/02/2015