



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

Wednesday, the Fourth day of March Two Thousand Fifteen
PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH
CRL OP(MD) No.2054 of 2015

SELVARASU

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
PALAVIDUTHI POLICE STATION, KARUR DISTRICT.
CR. NO. NOT KNOWN OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. C. BHARATHI Advocate
For Respondent : Mr.A.P.BALASUBRAMANIAN, 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 offences punishable under Sections 294(b), 323 and 506(ii) I.P.C. in Crime No.Not known of 2015 on the file of the respondent police, seeks anticipatory bail.

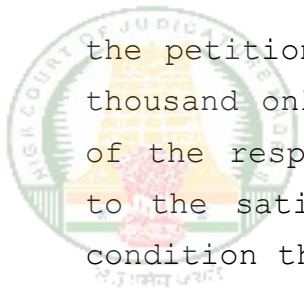
2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side).

3. Since no regular case has been registered by the respondent police and only petition enquiry is pending in C.S.R.No.17 of 2015, on the complaint dated 01.02.2015 given by one Gandhi W/o Venkatesh, this Court granted interim anticipatory bail to the petitioner on 11.02.2015 with a direction to the petitioner to appear before the respondent police and cooperate to the investigation.

4. Today, the respondent police is present. The learned Government Advocate (Crl.Side), on instructions, would submit that the petitioner is complying with the order passed by this Court and is cooperating for the investigation.

5. On a reading of the complaint, this Court finds that the allegations are not very serious. It is also stated by the learned Government Advocate(Crl.Side) that though the petitioner is regularly attending for enquiry, the defacto complainant has not appeared for enquiry. Under such circumstances, the anticipatory bail is granted to the petitioner.

6. 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.I, Kulithalai, Karur District, 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 Judicial 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 Judicial 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) In the event of the respondent police register a regular case, this anticipatory bail will enure to the advantage of the petitioner and the petitioner need not apply for fresh anticipatory bail.

sd/-
04/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.1
KULITHALAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.
 - 3 THE INSPECTOR OF POLICE
PALAVIDUTHI POLICE STATION, KARUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. C. BHARATHI Advocate SR.No.10441

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