



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.21576 of 2014

KARTHI

... PETITIONER/ACCUSED (RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
BAZZAR POLICE STATION, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CR. NO. 266/2014.

... COMPLAINANT

For Petitioner : M/S.S.GURUSARAVANAN 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, 341, 506(i) IPC r/w 379(NH) IPC in Crime No.266 of 2014 seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents. The Investigating Officer is also present. This is the 2nd anticipatory bail petition.

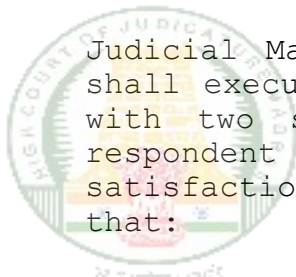
3. It appears that his petitioner was granted anticipatory bail by this Court in Crl.O.P. (MD).No.19711 of 2014 on 03.11.2014. While granting anticipatory bail, this Court has passed the following orders;

"5.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."

4.The learned counsel for the petitioner submits that the petitioner was not able to surrender before the concerned Magistrate and furnish sureties on account of his illness.

5.Since no extension of time application can be filed, as this Court has earlier stated that the anticipatory bail automatically stands dismissed, he is forced to come up with the second anticipatory bail application. Accepting the explanation offered by the petitioner, I am inclined to grant anticipatory bail to the petitioner.

<https://hcservices.courts.gov.in/hcservices> 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-I, Ramanathapuram, 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 daily at 10.30 a.m. and 6.30 p.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 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 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].

sd/-
08/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE
BAZZAR POLICE STATION, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.S.GURUSARAVANAN Advocate SR.No. 1009

SR : 12.01.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.21576 of 2014
Date :08/01/2015