



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21742 of 2015

SUBBURAJ

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KADAMBUR POLICE STATION, KOVILPATTI TALUK,
THOOTHUKUDI DISTRICT.
(Crime No.137/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S G.MARIAPPAN 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 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) IPC in Crime No.137 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.11.2015, due to a wordy quarrel, the petitioner abused the defacto complainant by using filthy language and threatened him.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence and he has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. Heard the learned Government Advocate (Criminal Side), who would submit that injured has been discharged from the hospital.

5. Considering the fact that injured has been discharged from the hospital. 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, Kovilpatti 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 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 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].

sd/-
18/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
KADAMBUR POLICE STATION, KOVILPATTI TALUK,
THOOTHUKUDI DISTRICT

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

+1. CC to M/S G.MARIAPPAN Advocate SR.No.65996

ORDER
IN
CRL OP(MD) No.21742 of 2015
Date :18/11/2015

NS/NGM-SS/AR I/20.11.2015 : 2P/6C