



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

Tuesday, the Tenth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.2267 of 2015

WEB COPY

RAJAMOORTHY

... PETITIONER/ACCUSED NO.3

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
SWAMIMALAI POLICE STATION,
THANJAVUR DISTRICT.
CR. NO. 11/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. A. JOEL PAUL ANTONY Advocate

For Respondent : MR.A.P.BALASUBRAMNANIAN, 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, 427 and 506(i) I.P.C. in Crime No.11 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner attacked the defacto complainant by hands.

3. Heard the learned Counsel for the petitioner.

4. The learned Government Advocate (Crl.side) would submit that there is no previous case as against the petitioner.

5. Taking into consideration the nature of allegations as against the petitioner, this Court is inclined to grant Anticipatory Bail 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, Kumbakonam, Thanjavur 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 daily at 10.30a.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 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) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-

10/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KUMBAKONAM, THANJAVUR DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
SWAMIMALAI POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. A. JOEL PAUL ANTONY Advocate SR.No.6167

ORDER

IN

CRL OP(MD) No.2267 of 2015

Date :10/02/2015

PA/12.02.15/2P/6C