



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

Tuesday, the Fifteenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23051 of 2015

ARULRAJ

... PETITIONER/ ACCUSED NO.4

Vs

STATE, REPRESENTED BY
THE INSPECTOR OF POLICE
PULIYANKUDI POLICE STATION,
PULIYANKUDI,
TIRUNELVELI DISTRICT.
(CR NO.320 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.K.GOKUL Advocate

For Respondent : Mr.K.ANBARASAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4, apprehends arrest at the hands of the respondent police, for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 27 of Arms Act, in Crime No.320 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner would submit that the petitioner said to have assaulted the de-facto complainant and due to that, the de-facto complainant said to have sustained simple injury.

3.Learned Government Advocate (Crl.side) submitted that the de-facto complainant sustained simple injury and was discharged from the hospital. The petitioner has already filed Crl.O.P.(MD) No.15010 of 2015 before this Court. This Court,by order dated 17.08.2015, granted anticipatory bail to the petitioner therein, wherein at paragraphs 5 & 6, it has been held as follows:

"5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivagiri, Tirunelveli District and on executing a personal 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for the purpose of interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.



6.The petitioners 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 petitioner did not comply the condition imposed by this Court, dated 17.08.2015, in Crl.O.P.(MD) No.15010 of 2015.

5.Now, the petitioner has come out with the present petition for Anticipatory Bail on the ground that he could not arrange sureties within the time limit granted by this Court.

6. Considering the facts and circumstances of the case and also the fact that this Court has already granted anticipatory bail to the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sivagiri, and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for the purpose of interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate on or before 29.12.2015, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PULIYANKUDI POLICE STATION,
PULIYANKUDI, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K.GOKUL Advocate SR.No.71827

ORDER
IN
CRL OP(MD) No.23051 of 2015
Date :15/12/2015