



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.23556 of 2014

RAJINIKANTH

... PETITIONER/ACCUSED NO. 2

Vs

STATE REP BY THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION, RAMNAD DIST,
CR.NO.528/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SHANKAR GANESH Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
For Intervener : MR. V.RAMALINGAM Advocate

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

ORDER : The Court Made the following order :-

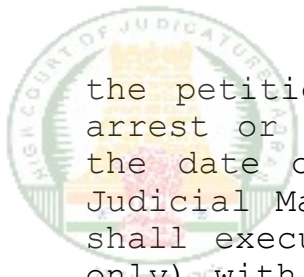
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 323 and 307 IPC in Crime No.528 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that this petitioner is a practising advocate and the petitioner along with one Shanmuganathan assaulted one Arunkannan, who is a junior advocate of Kathiravan, Treasurer, Ramanathapuram Bar Association.

3. It is represented by the learned Government Advocate (Crl.Side) that a counter case has been registered in Crime No.529 of 2014.

4. The learned counsel appearing for the intervenor would strongly oppose for grant of anticipatory bail to the petitioner. This Court has heard the anticipatory bail application of Shanmuganathan and has reserved orders. The allegation against this petitioner is that he was with Shanmuganathan at the time of incident. There is no overt act alleged against him. It appears that there is no previous case against the petitioner. The injured has been discharged from the hospital. This is case and counter.

5. Considering the facts and circumstances of the case, 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, Ramnad, 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 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/-

07/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMNAD
2 THE CHIEF JUDICIAL MAGISTRATE, RAMNAD
3 THE INSPECTOR OF POLICE, KENIKARAI POLICE STATION, RAMNAD DIST
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SHANKAR GANESH Advocate SR.No.540

ORDER

IN

CRL OP(MD) No.23556 of 2014

Date :07/01/2015

AA/12.01.2015/2p- 6c/