



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

**The Hon`ble Mr Justice S.VAIDYANATHAN**

CRL OP(MD) No.24464 of 2015

SWAMYNATHAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE  
SIPCOT POLICE STATION, TUTICORIN  
CR.No. 435 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.SENTHIL SANKARANATHAKUMA Advocate

For Respondent : M/S.K.Anbarasan Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

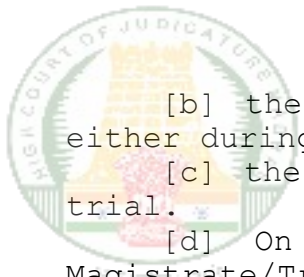
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 307 and 506(ii) IPC, in Crime No.435 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He prays for grant of anticipatory bail to the petitioner.

3.The learned Government Advocate(Crl.side) submitted that there are 12 accused in this and except the petitioner, all the accused were arrested and released on bail. He would further submit that the petitioner had attacked the victim with arival and injured has been discharged from hospital.

4. Taking into consideration of the above, 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.I, Tuticorin, 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 four weeks and thereafter as and when required for interrogation.



[b] the petitioner shall not tamper with the evidence or witnesses 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]**.

5.The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-  
21/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NO.I, TUTICORIN.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

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

4 THE SUB INSPECTOR OF POLICE  
SIPCOT POLICE STATION, TUTICORIN.

+1. CC to M/S S.SENTHIL SANKARANATHAKUMA Advocate SR.No.15503.

TS/22.12.2015/2P-6C/SK-SKN/SAR - II

ORDER  
IN  
CRL OP(MD) No.24464 of 2015  
Date :21/12/2015