



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

Tuesday, the Twenty Fourth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3302 of 2015

P.DURAIPANDIAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MANAMADURAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CR. NO. 593/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.J. ASSOCIATES Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 offence punishable under Sections 147, 148, 447, 294(b), 427 and 506(ii) of I.P.C in Crime No.593 of 2014 on the file of the respondent police, seeks anticipatory bail.

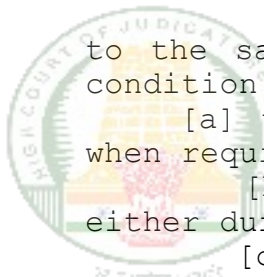
2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. This is the second anticipatory bail application filed by the petitioner. The first anticipatory bail application was dismissed as withdrawn.

4. It is the case of the prosecution that the petitioner is an Advocate by profession and he had filed W.P.No.4854 of 2013 against one Murugan local M.L.A. making allegation that he is illegally quarrying sand. As a counterblast, it is alleged that this case has been foisted against the petitioner.

5. On reading of the complaint, it appears that the incident had taken place on 23.09.2014 and the complaint had been lodged only on 01.10.2015.

6. 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 District Munsif Cum Judicial Magistrate, Manamadurai, Sivagangai District, on condition that the petitioner 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 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/-
24/02/2015

/ TRUE COPY /

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

TO

1.THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

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

4.THE INSPECTOR OF POLICE
MANAMADURAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

+2. CC to M/S K.J. ASSOCIATES Advocate SR.No.8366

ORDER
IN
CRL OP(MD) No.3302 of 2015
Date :24/02/2015

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