



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

Monday, the Second day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3686 of 2015

MARIYAMMAL

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

EAST POLICE STATION, KOVILPATTI TALUK,

TUTICORIN DISTRICT. (CR.NO.64/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S. M. VEILKANIRAJU 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 294(b), 323 and 506(i) IPC in Crime No.64 of 2015 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) appearing for the State.

3. The case of the prosecution is that the first accused along with others abused and threatened the defacto complainant with dire consequences.

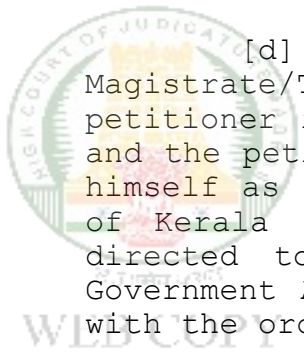
4. The learned Government Advocate (Crl.side) submits that the first and third accused were arrested and injured has been discharged from hospital and there is no previous case against the petitioner.

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.I, Kovilpatti, 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 appear before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness services or 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]. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioner is complying with the order or not.

sd/-
02/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I,KOVILPATTI.
 - 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
EAST POLICE STATION, KOVILPATTI TALUK,
TUTICORIN DISTRICT.
- +1. CC to M/S. M. VEILKANIRAJU Advocate SR.No.10121

ORDER
IN
CRL OP(MD) No.3686 of 2015
Date :02/03/2015

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