



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

Tuesday, the Third day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3754 of 2015

ESAKKIMUTHU

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SIVAKIRI POLICE STATION, TIRUNELVELI DT.

CR. NO.11/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.BHAGAVATH SINGH 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 offences punishable under Sections 294(b), 324 and 506(ii) I.P.C. in Crime No.11 of 2015 on the file of the respondent police, seeks anticipatory bail.

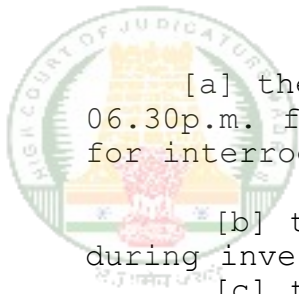
2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3. The case of the prosecution is that suspecting illegal intimacy between the petitioner's wife by the defacto complainant, the petitioner attacked the defacto complainant with wooden log.

4. The learned Government Advocate (Crl.Side) would submit that the injured has already been discharged from the hospital and there is no previous case as against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital, this Court is inclined to grant Anticipatory Bail to the petitioner.

6. 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, Sivakiri 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 Judicial Magistrate concerned and on further condition that:



[a] the petitioner shall report before the respondent police daily at 06.30p.m. for a period of two weeks and thereafter 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 Judicial 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 Judicial 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].

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-
03/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,SIVAKIRI.
 - 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
SIVAKIRI POLICE STATION, TIRUNELVELI DISTRICT.
- +1. CC to M/S.G.BHAGAVATH SINGH Advocate SR.No.10037

ORDER
IN
CRL OP(MD) No.3754 of 2015
Date :03/03/2015

rg.04.03.2015 2p.6c.