



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

Wednesday, the Eighteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3889 of 2015

VELMURUGAN

... PETITIONER/ ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP. BY THE SUB INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
CR. NO. NOT KNOWN OF 2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.C.RAJA KUMAR Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

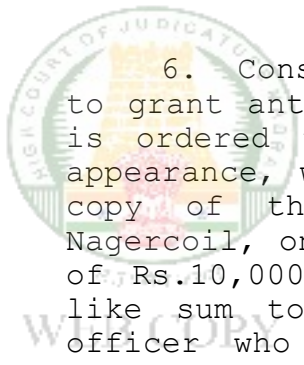
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(B) and 323 of I.P.C in Crime No.129 of 2015 on the file of the respondent police, seeks anticipatory bail.

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

3. Initially, this anticipatory bail application was filed showing the crime number as "not known" and the learned Government Advocate(Crl. Side) represented that only petition enquiry is pending in C.S.R.NO.57 of 2015. Hence, this Court had granted interim anticipatory bail to the petitioner on 04.03.2015 with a direction to the petitioner to appear before the respondent police for a period of two weeks daily at 05.30 p.m..

4. Today the respondent police is present. The learned Government Advocate(Crl. Side) on instructions from the respondent police submits that a regular case in Crime No.129 of 2015 for offences under Sections 341, 294(b) and 323 I.P.C., has been registered against the petitioner and the injured has been discharged from the hospital and there is no previous case against the petitioner.

5. Under such circumstances, anticipatory bail is granted to the petitioner with certain conditions.



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 Judicial Magistrate No.I, Nagercoil, 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 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/-
18/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.I, NAGERCOIL.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, KANYAMUMARI AT NAGERCOIL.

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

4 THE SUB INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION, KANYAKUMARI DISTRICT.

+1. CC to M/S.C.RAJA KUMAR Advocate SR.No.12916.

TS/20.03.2015/2P-6C

ORDER
IN
CRL OP(MD) No.3889 of 2015
Date :18/03/2015