



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Fourth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3907 of 2015

T.MARISHANKAR

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
MUTHAIAHPURAM POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.41/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.BANUPRASATH Advocate

For Respondent : Mr.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 offences punishable under Sections 294(b), 387 and 307 I.P.C. in Crime No.41 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).

3. The case of the prosecution is that the defacto complainant is the petrol pump operator and while filling up petrol, there was a quarrel between the accused and the defacto complainant and the accused tried to cut the defacto complainant.

4. The learned Government Advocate(Crl.Side) would submit that no one sustained injury in the alleged occurrence and there is one previous case as against the petitioner.

5. Considering the facts and circumstances of the case, 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 NO.II, 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 06.30p.m. for a period of four weeks and thereafter as and when required for interrogation.

<https://hcservices.ecourts.gov.in/hcservices/judicial-magistrate-no-ii-tuticorin> 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/-

04/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE, MUTHAIAHPURAM POLICE STATION,
TUTICORIN DISTRICT.

+1. CC to M/S.P.BANUPRASATH Advocate SR.No.10300

ORDER IN

CRL OP(MD) No.3907 of 2015

Date :04/03/2015

PBK 06/03/2015 ::2P-6C: