



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

Thursday, the Fifth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.4037 of 2015

WEB COPY

PRABHAKAR RAJ

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION,
IRUNELVELI DISTRICT.
CR. NO.31/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ARAVIND RAJ 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 342, 294(b), 323, 324 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.31 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the de-facto complainant is the brother of the petitioner and there was a wordy quarrel between the brothers and it is stated that the petitioner had assaulted them. When the wife of the defacto complainant intervened, she also assaulted.

3. The learned Government Advocate submits that the injured has been discharged from the hospital and the dispute is essentially a family dispute between the brothers and there is no previous case against the petitioner.

4. 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, Ambasamuthiram, Tirunelveli District, on condition that the petitioner shall execute a bond for a sum of



Rs.10,000/- each (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 stay at Tiruchendur and report before the Tiruchendur Temple Police Station every day at 10.30 a.m. and 6.30 p.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 a compliance report to the office of the learned Government Advocate as to whether the petitioner is complying with the condition or not.

sd/-
05/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMDURAM, TIRUNELVELI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE OFFICER INCHARGE,
THE TIRUCHENDURE TEMPLE POLICE STATION, TIRUCHENDUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ARAVIND RAJ Advocate SR.No.10676

ORDER

IN

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Date :05/03/2015