



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4780 of 2015

AJAY

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
SIVANTHAIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.
(CR.NO. 17 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.ANBARASU 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) and 323 IPC and Section 4 of TNWHP Act in Crime No.17 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that this petitioner along with other co-accused had teased the daughter of the defacto complainant, when she was returning from the school on 06.02.2015.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submits that the co-accused in this case have been arrested and released on bail.

5. Under such circumstances, this Court is 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 (15) days** from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.1, Tirunelveli**, on condition that the 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 stay at Madurai and report before the Curator, Gandhi Ashram, Madurai daily at 10:00a.m. for two weeks and take part in the social services of the Ashram and the Curator is directed to send a report to this Court about the compliance of the orders of this Court by the petitioner;

[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/-
19/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, SIVANTHAIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE CURATOR, GANDHI ASHRAM, MADRUAI.

+1. CC to M/S.D.ANBARASU Advocate SR.No.13440

ORDER IN

CRL OP(MD) No.4780 of 2015

Date :19/03/2015

PBK 23/03/2015 ::2P-7C: