



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.5105 of 2015

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M.RAJA PALAVESAMUTHU

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION,
ALWARKURICHI,
TIRUNELVELI DT.
(CRIME NO.48 OF 2015)

... RESPONDENTS/COMPLAINANT

For Petitioner : M/S.R.VINOTH BHARATHI Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
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), 323 and 506(i) IPC in Crime No.48 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has abused the defacto complainant in filthy language and also threatened him in dire consequences

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 injured has been treated as outpatient. He further submits that there is no previous case as against this petitioner.

5. Considering the fact that the injured has been treated as Out-Patient and also the fact that there is no previous antecedent against this petitioner, 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 (15) days** from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Ambasamudhram**, 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 report before the respondent police daily at 06:30 p.m. for two weeks and thereafter as and when required for interrogation;

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[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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUDHRAM
- 2 -DO-THRO;THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE ALWARKURICHI POLICE STATION,
ALWARKURICHI, TIRUNELVELI DT.
- 4 THE ADDL.PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.VINOTH BHARATHI Advocate SR.No.13263

ORDER

IN

CRL OP(MD) No.5105 of 2015

Date :19/03/2015

NA/23/03/2015/P2/6C

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