



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

Wednesday, the Twenty Fifth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5256 of 2015

S.P.BALAGANESAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE OF TAMIL NADU
REPRESENTED BY THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 46 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.BALAKRISHNAN Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

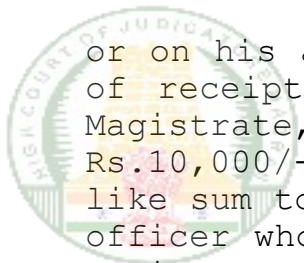
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b) and 506(ii) of IPC and Section 4 of Women Harassment Act in Crime No.46 of 2015, seek anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. It is alleged by the defacto complainant that there is a land dispute between the defacto complainant and the petitioners and on account of which, the petitioners menacingly came to the house of the defacto complainant to attack her.

4. The learned Government Advocate(Crl. Side) submits that no-one was injured in this case and there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that no one was injured. 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, Sathankulam on condition executing 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 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 Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[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/-

25/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE-, SATHANKULAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI
- 4.THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

+1. CC to M/S.R.BALAKRISHNAN Advocate SR.No.15236
RL/6 C- 30/3/2015

ORDER

IN

CRL OP(MD) No.5256 of 2015

Date :25/03/2015