



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5673 of 2015

A.MURUGANANTHAM

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY

THE SUB INSPECTOR OF POLICE

SELLUR POLICE STATION, MADURAI DISTRICT.

CRIME NO.1296 OF 2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.VADIVEL 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 :-

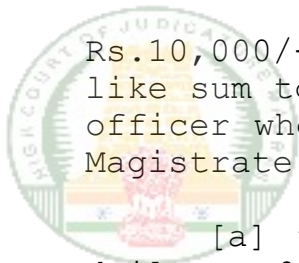
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 323,341,506(i) of IPC in Crime No.1296 of 2014, seeks anticipatory bail.

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

3. The case of the prosecution is that this petitioner had hit the de facto complainant by hands, on account of some family dispute between them. The de facto complainant was not seriously injured and there is no previous case against the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.

5. Considering the facts and circumstances of the case and also considering the fact that there is no previous case against the 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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Madurai 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 appear 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]**.

sd/-

26/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, MADURAI
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE SUB INSPECTOR OF POLICE
SELLUR POLICE STATION, MADURAI DISTRICT.
- +1. CC to M/S.A.VADIVEL Advocate SR.No.15113
RL/6 C- 30/3/2015

ORDER

IN

CRL OP(MD) No.5673 of 2015

Date :26/03/2015