



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

WEB COPY

CRL OP (MD) No.5859 of 2015

AMITH

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY
THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DT,
CRIME NO.60/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

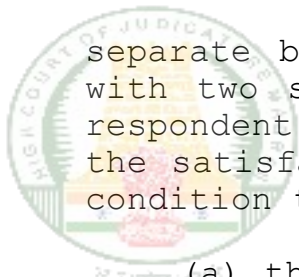
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.60 of 2015, on the file of the respondent police for offences under Sections 294(b), 323, 325 IPC and 4 of Tamil Nadu Women Harassment Act. the petitioner is now before this Court seeking Anticipatory Bail.

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

3.It is the case of the prosecution that on 06.02.2015, this petitioner along with co-accused had picked up quarrel with the wife of the de-facto complainant, while drawing water from a public tap. It is stated by the learned Government Advocate that A1 in this case was arrested and released on bail. As regards A3 and A4 are concerned, they surrendered before the learned Judicial Magistrate, Valliyoor and enlarged on bail. This petitioner, who is A2 in this case is alleged to have abused the wife of the de-facto complainant and assaulted her. Since the injured is discharged from the hospital and there is no previous case against the petitioner, I am inclined to grant anticipatory bail to the petitioner, but with conditions.

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, Valliyoor, on executing a



separate 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 Tiruchendur and report before Tiruchendur Temple police station everyday at 10.30 a.m. and 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 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/-

30/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE TIRUCHENDUR TEMPLE POLICE STATION,
TIRUCHENDUR
- 5 THE ADDL.PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.SUBASH BABU Advocate SR.No15856
ORDER
IN
CRL OP(MD) No.5859 of 2015
Date :30/03/2015

NA/31/03/2015/P2/7C