



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.68 of 2015

GANESAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO.672/2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN 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 offence punishable under Sections 294(b), 307 and 506(ii) IPC in Crime No.672 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner attempted to attack his uncle, who is the defacto complainant in this case, with aruval. The petitioner was arrested on the same day by the police in Crime No.904 of 2014 by Palayamkottai Police Station and was released on bail on 23.12.2014.

3. It is represented by the learned Government Advocate (Crl.Side) that no one sustained injury in this case.

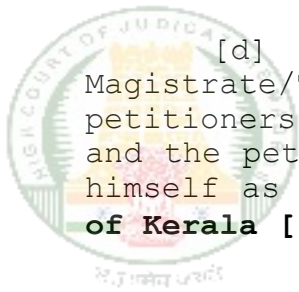
4. The learned counsel appearing for the petitioner submitted that in order to detain him under Act 14 this case has been foisted against the petitioner.

5. Considering the fact that none sustained injury, 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, No.V, Tirunelveli, 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 report before the concerned court daily at 10.30 a.m for a period of two weeks and thereafter as and when required.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

<https://hcservices.ecourts.gov.in/hcservices> 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 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/-
07/01/2015

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Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE INSPECTOR OF POLICE, MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.645

ORDER IN
CRL OP(MD) No.68 of 2015
Date :07/01/2015

PBK 08/01/2015 ::2P-6C: