



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the Sixth day of May Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8911 of 2015

WEB COPY

AYYAPPAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO. 305/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.RAMAKRISHNAN 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 :-

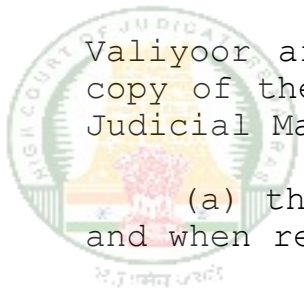
Apprehending arrest at the hands of the respondent police in Crime No.305 of 2015 on the file of the respondent police for offences under Sections 341, 294(b), 323 and 506(i) of I.P.C., the petitioner is now before this Court seeking Anticipatory Bail.

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

3. The learned Government Advocate (Crl.side) submitted that the injured has been treated as out-patient and there is no previous case against the petitioner.

4. The learned counsel for the petitioner submitted that the de-facto complainant is the advocate and the petitioner may not be able to execute sureties before the Judicial Magistrate, Boothapandi, where the de-facto complainant is practising.

5. Under such circumstances, this Court is of the view that this is a fit case for granting anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valiyoor on 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 the learned Judicial Magistrate,



Valiyoor after accepting sureties and bonds shall retain the photo copy of the same and transmitted the original papers to the learned Judicial Magistrate, Boothapandi and on further condition that

(a) the petitioner shall report before the respondent police as and when required for interrogation

[b] the petitioner shall give her thumb impression, specimen signatures and handwritings.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

[f] 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/-

06/05/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VALIYOOR

2 THE JUDICIAL MAGISTRATE, BOOTHAPANDI

3 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT NAGERCOIL

4 THE SUB INSPECTOR OF POLICE ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.RAMAKRISHNAN Advocate SR.No.25086

ORDER IN

CRL OP(MD) No.8911 of 2015

Date :06/05/2015