



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

Monday, the Twelfth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.399 of 2015

WEB COPY

KRISHNAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
NARIKKUDI POLICE STATION,
VIRUDHUNAGAR DT,
CRIME NO.44/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.SENTHIL KUMAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

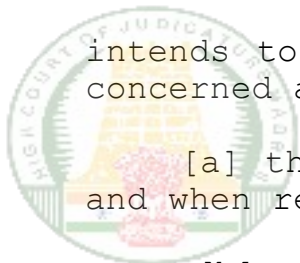
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 4(AA) of Tamil Nadu Open Places Prevention and Disfigurement Act and Section 188 I.P.C. r/w 123(1) of Representation of People Act, 1951 in Crime No.44 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The learned Counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

3. The learned Government Advocate(Crl.Side) would submit that the case is registered with regard to election offences and in this case, the investigation is completed and the charge sheet has been filed.

4. Considering the fact and circumstances of the case and considering the nature of offences, this Court is inclined to grant Anticipatory Bail to the petitioner.

5. 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, Aruppukkottai 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 respondent police 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 Judicial 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 Judicial 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/-

12/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTTUR

3 THE INSPECTOR OF POLICE NARIKKUDI POLICE STATION,
VIRUDHUNAGAR DT,

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

+1. CC to M/S.B.SENTHIL KUMAR Advocate SR.No.1487

ORDER

IN

CRL OP(MD) No.399 of 2015

Date :12/01/2015

NA/19/01/2015/P2/6C