



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10793 of 2016

CHINNADURAI

... PETITIONER / ACCUSED NO.5

Vs

STATE REP BY

THE INSPECTOR OF POLICE

MURAPANADU POLICE STATION, TUTICOIRN DISTRICT.

(CRIME NO.302/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.R.DURAIRAJ Advocate

For Respondent : M/S.P.KANNITHEVAN,

Govt. Advocate (Crl. Side)

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

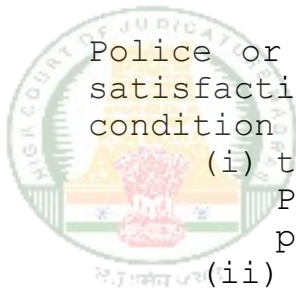
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.5, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323 and 506(ii) of IPC, in Crime No.302 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

3.The learned Government Advocate (Crl.Side) submitted that the petitioner and other accused abused the defacto complainant and prevented him from discharging his duty and no one sustained injury in the alleged occurrence.

4.Considering the facts and circumstances of the case and also considering the fact that no one sustained injury in the alleged occurrence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Srivaikundami, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at twice at 10.00 a.m., and 5.00 p.m., until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

5.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
30/06/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE
SRIVAICKUNDAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4.THE INSPECTOR OF POLICE
MURAPANADU POLICE STATION, TUTICORIN DISTRICT.
- +1. CC to M/S.M.S.JEYAKARTHIK, Advocate SR.No.34205
RL/6C/2P/ARK/PV/SARII/4/7/2016

ORDER
IN
CRL OP(MD) No.10793 of 2016
Date :30/06/2016