



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11350 of 2016

S. PALPANDI

... PETITIONER/ACCUSED No.2

Vs

THE STATE OF TAMIL NADU
REP. BY ITS INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
CRIME NO. 173 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S G.RADHAKRISHNAN, ADVOCATE

FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE

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

ORDER : The Court Made the following order :-

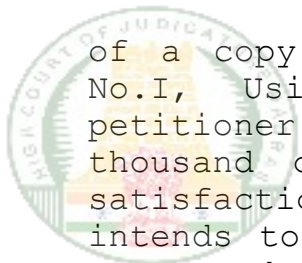
The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 506(ii) IPC and Section 12 of POCSO Act, in Crime No.173 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused persons misbehaved with the daughter of the de facto complainant and threatened her with dire consequences. On complaint case has been registered for the above said offences.

3.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. The petitioner is studying 12th Standard in Government Higher Secondary School at Usilampatti. A.1 is the relative of the de facto complainant. The petitioner is the friend of A.1. He has not involved in the offences as alleged by the prosecution. A.1 was already arrested and released on bail.

4.Heard the learned Government Advocate (Criminal side).

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is the friend of A.1 and he is studying 12th Standard and A.1 was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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.I, Usilampatti, Madurai District, 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:

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- (i) the petitioner shall report before the respondent Police daily at 06.00 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]**.

6.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/-

14/07/2016

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

TO

- 1. THE JUDICIAL MAGISTRATE NO.1, USILAMPATTI.
- 2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3. THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.RADHAKRISHNAN Advocate SR.No. 36543

ORDER IN

CRL OP(MD) No.11350 of 2016

Date :14/07/2016