



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

Wednesday, the Twentieth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11475 of 2016

THATHARAJAN

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION,
DINDIGUL TOWN,
DINDIGUL DISTRICT.
(CRIME NO.791 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.SELVARAJ 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 sole Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 427 and 506(ii) of IPC, in Crime No.791 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

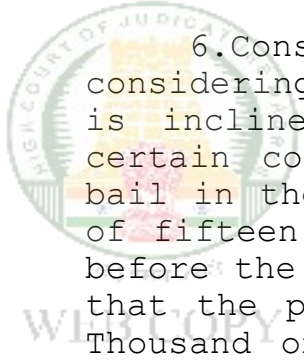
2.The case of the prosecution is that when the defacto complainant, who was riding a Alto Car bearing Registration No.TN 57 BA 0626, crossing the round road Aavin Milk parlour, the petitioner fell down in front of the defacto complainant's Car, due to that a wordy quarrel arose. In view of that, the petitioner damaged the car of the defacto complainant worth Rs.10,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case and pray for anticipatory bail in favour of the petitioners.

4.The learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit a sum of Rs.5,000/-.

<https://hcservices.ecourts.gov.in/hcservices/>

5.It is submitted by the learned Government Advocate (Crl.Side) that no one sustained injury in the alleged occurrence.



6.Considering the facts and circumstances of the case and also considering the submission on the side of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, he 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.2, Dindigul, on condition that the petitioner shall deposit a sum of Rs.5000/- (Rupees Five Thousand only) to the credit of Crime No.791 of 2016, before the said Court and 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 10.00 a.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]**.

7.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/-
20/07/2016

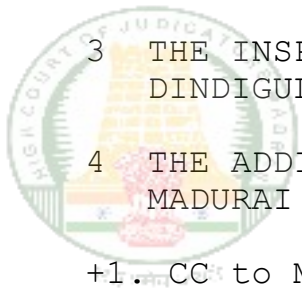
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.2, DINDIGUL.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.



3 THE INSPECTOR OF POLICE, TOWN NORTH POLICE STATION,
DINDIGUL TOWN, DINDIGUL DISTRICT.

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

+1. CC to M/S D.SELVARAJ Advocate SR.No.38222

WEB COPY

ORDER

IN

CRL OP(MD) No.11475 of 2016

Date :20/07/2016

SDR/PEK/SAR III/22.07.2016/3P/6C