



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11796 of 2016

V.MATHAN @ MATHANKUMAR

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PATTIVEERANPATTI POLICE STATION,
PATTIVEERANPATTI,
DINDIGUL DISTRICT.
CRIME NO.153 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.RAJARAMAN Advocate

For Respondent : MR.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.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427, 324, 379, 436 and 506(i) IPC, in Crime No.153 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

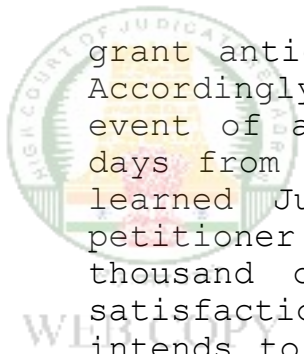
2.The case of the prosecution is that on 27.05.2016, the petitioner abused the son of the de facto complainant and tried to attack him with iron rod and when he escaped from his attack, the petitioner damaged the front glass of the auto and took a sum of Rs.12,500/-. When he returned to his house, A.2 poured petrol on the doors of his house and set fire. The petitioner threatened the son of the de facto complainant with dire consequences stating that he will kill him. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. Earlier, the petitioner has given a complaint in Crime No.152 of 2016 for the occurrence tookplace on 27.05.2016 and due to that as a counter-blast, the de facto complainant has given a false complaint.

4.The learned Government Advocate (Criminal side) submitted that the petitioner damaged the front glass of the auto of the son of the de facto complainant and took a sum of Rs.12,500/-. Investigation is pending.

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

5.Considering the facts and circumstances of the case and also considering the nature of allegation, 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, Nilakottai, 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 10.30 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]**.

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/-
22/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NILAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL .

3 THE INSPECTOR OF POLICE, PATTIVEERANPATTI POLICE STATION,
PATTIVEERANPATTI, DINDIGUL DISTRICT.

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

+1. CC to M/S R.RAJARAMAN Advocate SR.No.38908

ORDER
IN
CRL OP(MD) No.11796 of 2016
Date :22/07/2016