



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11957 of 2016

SUBBULAKSHMI

... PETITIONER / ACCUSED NO.2

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VANNIAMPATTI VILAKKU POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.151 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.MURUGESAN Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

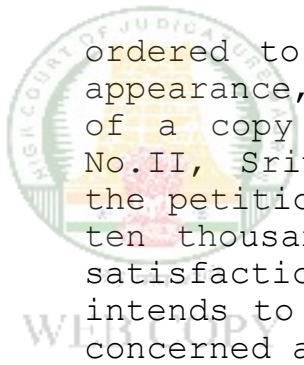
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 448, 294(b), 324 and 506(ii) of IPC in Crime No.151 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner attacked the defacto complainant and also threatened him with dire consequences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that A1 has already enlarged on bail by the learned Judicial Magistrate - II, Srivilliputur.

4. The learned Government Advocate (Crl. Side) submitted that the injured absconded from the hospital and investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has absconded from the hospital and that the co-accused has enlarged on bail by the learned Judicial Magistrate - II, Srivilliputur, I am inclined to grant anticipatory bail to the petitioner. 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.II, Srivilliputur, Virudhunagar District and 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 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 petitioners 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].

sd/-

19/07/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OFFPOLICE
VANNIAMPATTI VILAKKU POLICE STATION,VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S M.MURUGESAN Advocate SR.No.37609
RL/6C/2P/SKS/RR/SARI/20/7/2016

ORDER

IN

CRL OP (MD) No.11957 of 2016

Date :19/07/2016