



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12112 of 2016

A. THANGADURAI

... PETITIONER/ACCUSED

Vs

THE STATE OF TAMILNADU
REP. BY THE INSPECTOR OF POLICE ,
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S M.P.SENTHIL, 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 :-

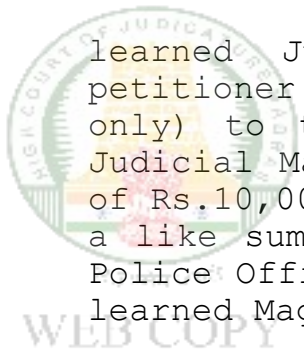
The petitioner, who is arrayed as Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 427 and 506(i) IPC and Section 3 of Tamil Nadu Public Property Prevention of Damages and Loss Act, 1992, in Crime No.184 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

3.The learned counsel for the petitioner submitted that the petitioner is willing to deposit a sum of Rs.5,000/- to the credit of Crime No.184 of 2016 before the learned Judicial Magistrate, Tenkasi.

4.The learned Government Advocate (Criminal side) submitted that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, 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, Tenkasi, on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.184 of 2016 before the learned Judicial Magistrate, Tenkasi and he 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]**.

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/-
27/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1. THE JUDICIAL MAGISTRATE, TENKASI.
 - 2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 - 3. THE INSPECTOR OF POLICE ,
KADAYANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
 - 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S M.P.SENTHIL Advocate SR.No. 39909

ORDER IN
CRL OP(MD) No.12112 of 2016
Date :27/07/2016