



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.12155 of 2016

WEB COPY

S.GANESAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(IN CRIME NO.427 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.M.VISHNUVARTHANAN 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 sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.427 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

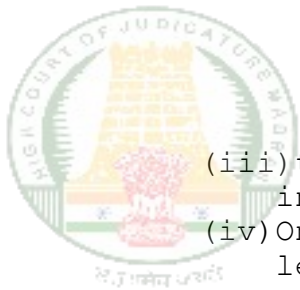
2.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

3.It is submitted by the learned Government Advocate (Crl.Side) that the injured person absconded from the Government Hospital to escape from the enquiry in the complaint given by the petitioner.

4.Considering the facts and circumstances of the case and also considering the fact that the injured person absconded from the Government Hospital, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Sivakasi, 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 likesum 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., for a period of two weeks and thereafter, as and when required for interrogation.

- (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]**.

5. 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

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SIVAKASI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S P.M.VISHNUVARTHANAN Advocate SR.No.38202

ORDER

IN

CRL OP(MD) No.12155 of 2016

Date : 20/07/2016

PA/SK-SKN/SAR III/22.07.2016/2P/6C