



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12162 of 2016

VIJAYAKUMAR

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PERAVOORANI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 143 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S B.ANANDAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

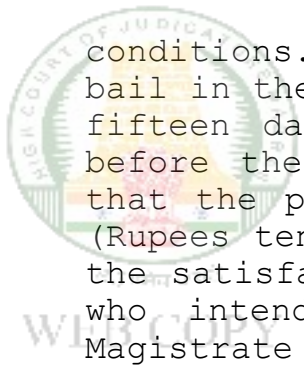
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 324, 506(ii) and 379(NP) IPC, in Crime No.143 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

3.The learned Government Advocate (Criminal side) submitted that the offence under Section 379 IPC is deleted in this case and the respondent police submitted an Alteration Report before the learned Judicial Magistrate, Pattukkottai to that effect. He also produced a copy of the said Alteration Report dated 16.07.2016, wherein it is stated that after investigation the charges have been altered into Sections 341, 294(b), 323, 324 and 506(ii) IPC in this case. The learned Government Advocate (Crl.Side) further submitted that the injured person had already been discharged from the hospital.

4.Considering the facts and circumstances of the case and considering the copy of the Alteration Report submitted by the respondent police 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, Peravoorani, 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 10.00 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]**.

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/-
05/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJORE DISTRICT
- 3 THE INSPECTOR OF POLICE, PERAVOORANI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S B.ANANDAN Advocate SR.No. 42247

SMN
SMA/SKS-RR/SAR-I/10/08/2016 :2P/6C

ORDER
IN
CRL OP(MD) No.12162 of 2016
Date :05/08/2016