



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.12237 of 2016

SOWNDER ALIAS SOWNDERAPANDIAN ... PETITIONER/ACCUSED No.4

Vs

STATE REP BY THE INSPECTOR OF POLICE,
KULATHOOR POLICE STATION, THOOTHUKUDI DISTRICT
CR. NO. 55 OF 2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.M.MANIVEL PANDIAN 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 :-

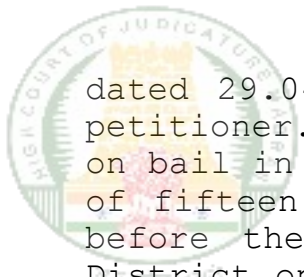
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,148,294(b),427, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.55 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused entered into the house of the defacto complainant and caused damage worth Rs.15,000/-. On complaint, a case has been registered against the petitioner.

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 co-accused have already granted anticipatory bail by this Court in Crl.O.P(MD).No.7188 of 2016, dated 29.04.2016 and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.15,000/- and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already granted anticipatory bail by this Court in Crl.O.P(MD).No.7188 of 2016,



dated 29.04.2016, 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, Vilathikulam, Thoothukudi District 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 daily at 10.30 am until further orders.

[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].

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 condition 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,VILATHIKULAM, THOOTHUKUDI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE,THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE,
KULATHOOR POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12237 of 2016

Date :20/07/2016