



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

Tuesday, the Twenty Sixth day of July Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.12436 of 2016

WEB COPY

KARANTHAMALAI KANNAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REB BY
THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.204/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MAHENDRAPATHY Advocate

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

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

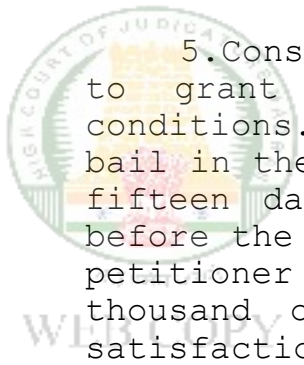
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 353 and 506(i) of IPC, in Crime No.204 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on receipt of phone call from the Control Room, the defacto complainant contacted the given number. The petitioner attended the phone call and informed that he is the State General Secretary of Yadhava Thesiya Peravai and he would murder five persons from Pappakudipatti and one Natchammal and will come and surrender in the morning and further stated that no one will inform and murder and he already informed to the District Collector and Superintendent of Police, he would give Rs.10,00,000/- in the morning to register the case and subsequently, disconnected the phone call. The defacto complainant and one Sub Inspector of Police went in search of the petitioner. The petitioner has prevented the defacto complainant and Sub Inspector of Police from discharging their duty by making such a phone call. On complaint, case has been registered for the above said offences.

3.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.

4.The learned Government Advocate (Crl.Side) submitted that by making phone call to register the case and the petitioner would give Rs.10,00,000/- and prevented from discharging their official duty.



5.Considering the nature of allegations, 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, Melur, 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 twice at 10.00 a.m., and 5.00 p.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/-
26/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, MELUR
2 DO THE THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
3 THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION, MADURAI DISTRICT.
4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
+1. CC to M/S S.MAHENDRAPATHY Advocate SR.No.39690

ORDER
IN
CRL OP(MD) No.12436 of 2016
Date :26/07/2016