



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13081 of 2016

K. MYDEEN BASHA

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION,
TRICHY DISTRICT.
(CRIME NO. 476 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S B.JAMEEL ARASU Advocate

For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

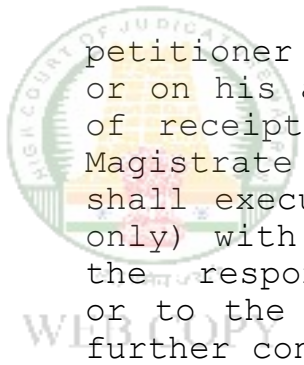
The petitioner, who is arrayed as accused apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,448,294(b),323,363 and 506(i) of IPC in Crime No.476 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons came to Srirangam, where the defacto complainant and her husband were staying and abused him in filthy language and also threatened with dire consequences. The defacto complainant informed that her husband is staying in the next room and they kidnapped her husband and driver along with car, for which the defacto complainant has given a complaint before the respondent police.

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 only due to previous motive, his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that both the husband of the defacto complainant and driver are secured along with car.

5. Considering the contention of the learned Government Advocate (Crl. Side) that both the husband of the defacto complainant and driver are secured along with car, 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 No.III. Trichy and 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 10.00 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 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 condition or not.

sd/-
11/08/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.III, TRICHY
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION, TRICHY DISTRICT.
- +1. CC to M/S B.JAMEEL ARASU Advocate SR.No.43995
RL/6C/2P/AAL/MPA/SARI/23/8/2016

ORDER
IN
CRL OP(MD) No.13081 of 2016
Date :11/08/2016