



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

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13233 of 2016

P. AZHAGU

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY THE INSPECTOR OF POLICE

ULAGAMPATTI POLICE STATION, SIVAGANGAI DISTRICT.

(CRIME NO. 55 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.SIVALINGAM 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 :-

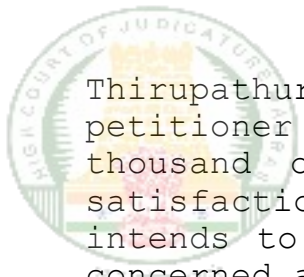
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 506(ii) of IPC in Crime No.55 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to the wordy quarrel the petitioner along with other accused attacked the defacto complainant and caused injuries and abused him in filthy language. 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.

4. The learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, 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 District Munsif Cum Judicial Magistrate,



Thirupathur, Sivagangai District 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 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/-

29/07/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUPATHUR,
SIVAGANGAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
- 3 THE INSPECTOR OF POLICE
ULAGAMPATTI POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.SIVALINGAM Advocate SR.No.40665

ORDER

IN

CRL OP(MD) No.13233 of 2016

Date : 29/07/2016

AA/ARK-PV/SAR-I/04.08.2016/2p-6c