



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

Wednesday, the Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13293 of 2016

1 RAJKUMAR,
2 VETRIVEL,

... PETITIONERS / ACCUSED No.1 & 3

Vs

State rep.by
THE INSPECTOR OF POLICE,
PALAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.137 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.GOKUL 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 :-

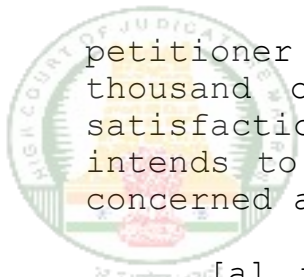
The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Women Harassment Act in Crime No.137 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive the petitioners attacked the defacto complainant and abused him in filthy language and also threatened with dire consequences. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the second petitioner is having two previous cases and no one has sustained injury and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury, I am inclined to grant anticipatory bail to the first petitioner. Accordingly, the 1st 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, Valliyoor on condition that the first



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 first petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the first petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the first 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 petitioners in accordance with law as if the conditions have been imposed and the first 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].

In view of the endorsement made by the learned counsel for the petitioners, this petition dismissed against the 2nd petitioner.

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/-
03/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE,
PALAVOOR POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.GOKUL Advocate SR.No.41574
sm:ARK-PV:SAR III:08.08.2016:2P/6C

ORDER
IN
CRL OP(MD) No.13293 of 2016
Date :03/08/2016