



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.13319 of 2016

ANANTH @ ANANTH KUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE OF TAMILNADU RPE.BY THE SUB INSPECTOR OF POLICE,
MANDAIKADU POLICE STATION,
KANNIYAKUMARI DISTRICT
(CRIME NO.143/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.M.MANIVELPANDIAN Advocate

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

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

ORDER : The Court Made the following order :-

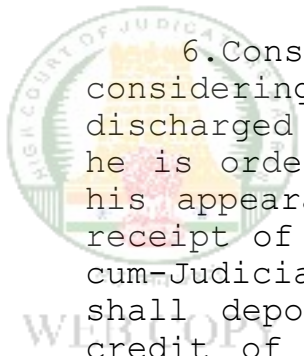
The petitioner, who is arrayed as sole Accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 294(B), 323, 427, 506(ii) of IPC and Sections 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.143 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner trespassed into the temple and beaten the husband of the defacto complainant with hands and pull down and damaged the temple property worth about Rs.1,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent and he has not committed any offence and he has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

4.The learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit a sum of Rs.1,000/-.

5.It is submitted by the learned Government Advocate (Crl.Side) that the injured person had already been discharged from the hospital.



6.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital with certain conditions. Accordingly, he 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, Eraniel, on condition that the petitioner shall deposit a sum of Rs.1,000/- (Rupees Thousand only) to the credit of Crime No.143 of 2016, before the said Court and 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 at 10.00 a.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 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]**.

7.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/-

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, ERANIEL.
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE SUB INSPECTOR OF POLICE, MANDAIKADU POLICE STATION, KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.M.MANIVELPANDIAN Advocate SR.No. 40801

JA-ARK-PV-SAR.I/5.8.2016/2P:6C