



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13979 of 2016

SELVARAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AMBILIKAI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.100 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENKATESH 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 :-

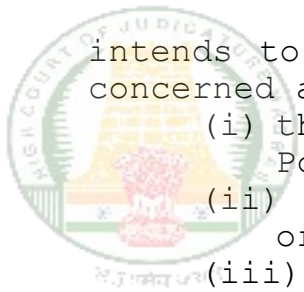
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offence under Section 188 IPC, in Crime No.100 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 16.05.2016, at 11.00 a.m., the petitioner was standing in a suspicious manner near the election booth No.170 at Sinthaladampatti Primary School election booth, instead of his allotted election booth No.168 to poll his vote. On complaint, a case has been registered for the above said offence.

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.

4.The learned Government Advocate (Criminal side) submitted that no one sustained injury in this case.

5.Considering the facts and circumstances of the case that no one sustained injury in this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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, Oddanchatram, 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 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 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/-
05/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ODDANCHATRAM, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, AMBILIKAI POLICE STATION,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.42436

PJL
CSL/NGM-MP/SAR-I/09.08.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.13979 of 2016
Date :05/08/2016