



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

Tuesday, the Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14147 of 2016

S.KUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE OF TAMILNADU REPRESENTED BY
THE SUB INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
KANYAKUMAARI DISTRICT.
CR. NO.355/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.K.M.APPAJI Advocate

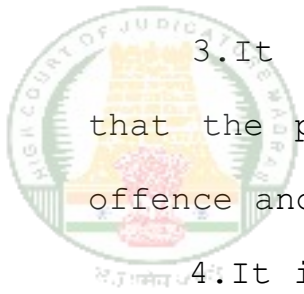
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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 alleged offences punishable under Sections 294(b), 332 and 353 IPC, in Crime No.355 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 30.07.2016 at 05.30 p.m., when the de facto complainant, who is the driver of Tamil Nadu State Transport Corporation, driving the bus near Suchindram Selvam Mahal, the petitioner, who is driving his tempo, has not given way to the de facto complainant and when the same was questioned, the petitioner abused him in filthy language and also attacked him. On complaint, a case has been registered for the above said offences.



3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.It is submitted by the learned Government Advocate (Crl.Side) that no one sustained injury.

5.Considering the facts and circumstances of the case and also considering the fact that no one sustained injury, 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 No.III, Nagercoil, 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



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/-
09/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL, KANYAKUMARI DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL
 - 3 THE SUB INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
KANYAKUMAARI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S C.K.M.APPAJI Advocate SR.No.43527

SMN
JAM/11.08.2016/KP/SAR I/3P-6C

ORDER
IN
CRL OP(MD) No.14147 of 2016
Date :09/08/2016