



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.14165 of 2016

VENKATESWARI

... PETITIONER/ACCUSED No.6

Vs

STATE REP BY THE INSPECTOR OF POLICE
MUNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT.
CR. NO.235/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.ANGUSAMY 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 Accused No.6, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 342, 294(b), 307, 323 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.235 of 2014, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 03.07.2014 at about 07.45 p.m., due to civil dispute, the petitioner and other accused persons waylaid the husband of the de facto complainant and attacked him with aruval. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. There was no specific overtact made against the petitioner.

4.The learned Government Advocate (Criminal side) submitted that investigation has been completed and charge sheet has been filed and taken on file in P.R.C.No.25 of 2015 on the file of the learned Judicial Magistrate No.V, Tirunelveli.

5.Considering the facts and circumstances of the case and also considering the fact that investigation has been completed and charge sheet has been filed and taken on file, 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.V, Tirunelveli District 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 said Court on receiving summons from the Court.
- (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/-

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.V, TIRUNELVELI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
MUNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.ANGUSAMY Advocate SR.No.42868

ORDER

IN

CRL OP(MD) No.14165 of 2016

Date :09/08/2016

AA/NGM-MP/SAR-III/11.08.2016/2p-6c