



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14456 of 2016

N.MOHAN

... PETITIONER/ACCUSED NO.I

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO. 370 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LAJAPATHIROY 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 :-

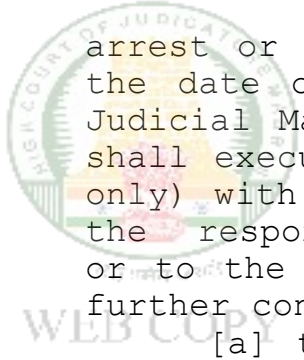
The petitioner, who is arrayed as accused apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 323 and 506(i) of IPC Section 4 of Women Harassment Act and Section 3 of TNPPDL Act in Crime No.370 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner trespassed into the house of the defacto complainant and threatened him with dire consequences and caused damage to the window worth Rs.1,000/-. on complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the the damage caused worth Rs.1,000/- has already been deposited by A3 and he has granted anticipatory bail in Crl.O.P(MD).No.12547 of 2016 dated 22.07.2016 and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.1,000/- and investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that A3 has already deposited the amount, I am inclined to grant anticipatory bail to the petitioner. 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, Sivakasi and 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

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

[c] the 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 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 condition or not.

sd/-

11/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.T.LAJAPATHIROY Advocate SR.No.43988

ORDER

IN

CRL OP(MD) No.14456 of 2016

Date :11/08/2016