



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

Thursday, the Twenty Eighth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.1460 of 2016

BALAKRISHNAN

... PETITIONER/ ACCUSED No.2

Vs

THE STATE REP. BY
THE SUB INSEPCTOR OF POLICE
THADIKOMBU POLICE STATION,
THADIKOMBU,
DINDIGUL DISTRICT.
(CRIME NO. 26 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.KARTHICK SUBRAMANIAN Advocate

For Respondent : Mrs.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

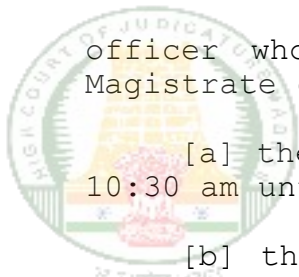
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 294(b), 341, 427 and 506(i) IPC in Crime No.26 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner abused the de facto complainant in filthy language and also threatened him with dire consequences and damaged some articles.

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

4.The learned Government Advocate (Crl.side) submitted that charge sheet has not been filed in this case.

5.Considering the facts and circumstances of the case, 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 No.II, Dindigul District, to deposit 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 10:30 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 compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
28/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE SUB INSEPCTOR OF POLICE
THADIKOMBU POLICE STATION,
THADIKOMBU,DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S KARTHICK SUBRAMANIAN Advocate SR.No.4906

ORDER
IN
CRL OP(MD) No.1460 of 2016
Date :28/01/2016

nbg
NS/SK-SKN/SAR I/29.01.2016 : 2P/6C