



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

Tuesday, the Sixteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14836 of 2016

PONRAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE OF TAMILNADU
REP BY THE INSPECTOR OF POLICE
NITHIRAVILAI POLICE STATION
KANYAKUMARI DISTRICT
(CRIME NO.192 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.K.M.APPAJI Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

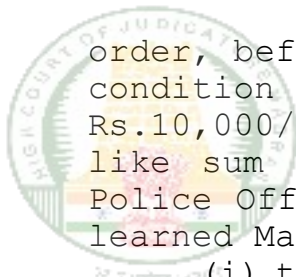
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353 and 506(i) I.P.C., in Crime No.192 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the Councillor of Ward No.8, Ezhudesam Panchayat, Kanyakumari District. On 03.08.2016, at 12 hours, the petitioner herein entered into the Panchayat Office in a drunken mood and abused the Executive Officer-Mr.S.Arumuga Nainar, in filthy language and attempted to assault him. On complaint, a case has been registered for the offences state above.

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. Heard the learned Government Advocate (Criminal side).

5. Considering the facts and circumstances of the 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 No.II, Kuzhithurai, 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/-

16/08/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II
KUZHITHURAI
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4.THE INSPECTOR OF POLICE
NITHIRAVILAI POLICE STATION
KANYAKUMARI DISTRICT

+1. CC to M/S.C.K.M.APPAJI Advocate SR.No.44563
RL/6C/2P/KP/SK/SK/SARI/22/8/2016

ORDER

IN

CRL OP(MD) No.14836 of 2016

Date :16/08/2016