



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

Wednesday, the Seventeenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14953 of 2016

ARUMUGAM

... PETITIONER /2nd ACCUSED

Vs

THE STATE
THE INSPECTOR OF POLICE
MOONRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SUSI KUMAR 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 :-

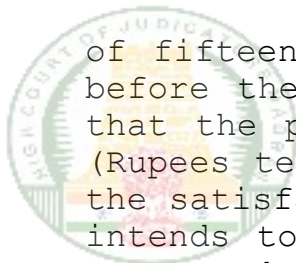
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 341 and 307 of IPC in Crime No.99 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that previous motive, the petitioner waylaid the defacto complainant and abused him in filthy language and A1 attacked him with a sickle and caused injuries and also threatened him with dire consequences.

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 and his name has been falsely implicated in this case. He further submitted that co-accused have granted anticipatory bail by this Court in Crl.O.P(MD).No.12983 of 2016, dated 01.08.2016 and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted the petitioner is having 2 previous cases and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused have already granted anticipatory bail by this Court in Crl.O.P(MD).No.12983 of 2016, dated 01.08.2016, 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, Nanguneri 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:

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[a] the petitioner shall report before the respondent police daily at 10.00 am and 5.00 pm 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 petitioners 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/-

17/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE, MOONRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.C.SUSI KUMAR Advocate SR.No.45640

ORDER

IN

CRL OP(MD) No.14953 of 2016

Date :17/08/2016