



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

Thursday, the First day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.16241 of 2016

JAI GANESH,

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ANTIPATTI POLICE STATION,
IN CR.NO.199 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SENGUTTUARASAN 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 :-

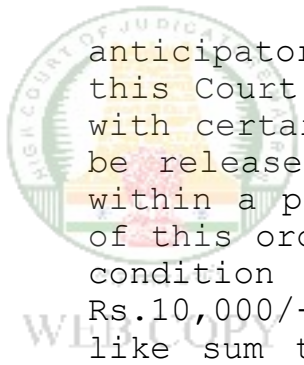
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) IPC, in Crime No.199 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to collection of repair charges for motor pump, the petitioner attacked the defacto complainant with an aruaval on his right hand. On complaint, case has been registered for the above said offences.

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 as alleged by the prosecution.

4.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5.This Court by an order, dated 08.06.2016, granted anticipatory bail to the petitioner in Crl.O.P(MD)No.6795 of 2016 with certain conditions. But, the petitioner did not execute the sureties in time and now, the petitioner has filed this petition stating that due to viral fever, he was unable to execute the sureties in time.



anticipatory bail to the petitioner in CrI.O.P(MD)No.6795 of 2016, 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, Andipatti, 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]**.

7.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/-
01/09/2016

/ TRUE COPY /

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

PS
TO

- 1 THE JUDICIAL MAGISTRATE, ANDIPATTI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE INSPECTOR OF POLICE, ANTIPATTI POLICE STATION,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S P.SENGUTTUARASAN Advocate SR.No.49435
GJM/DB/SAR-III-12.9.16-2P-6C

ORDER
IN
CRL OP(MD) No.16241 of 2016
Date :01/09/2016