



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

Friday, the Second day of September Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.16532 of 2016

WEB COPY

ARUMUGAM

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

CHERANMAHADEVI POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO. 16 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.PON KARTHIKEYAN 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 :-

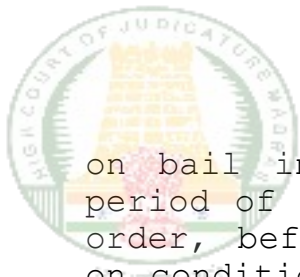
The petitioner, who is arrayed as accused apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,148,294(b),323,324 and 307 of IPC and Section 3 of TNPPDL Act in Crime No.16 of 2015 and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner along with other accused unlawfully assembled and threatened the defacto complainant with dire consequences and also caused damaged to the vehicle worth Rs.2,000/-. On complaint, case has been registered for the above said offences.

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 co-accused were already enlarged on bail by the Court below in Crl.M.P.No.345 of 2015 and prayed for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the investigation is completed and the absconding charge sheet is filed against the petitioner in this crime number and prayed for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused were already enlarged on bail, this Court is 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, Cheranmahadevi 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 concerned Court daily at 10.30 am and 4.00 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/-

02/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S R.PON KARTHIKEYAN Advocate SR.No.49735

ORDER

IN

CRL OP(MD) No.16532 of 2016

Date : 02/09/2016