



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

Monday, the Twenty Sixth day of September Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.18058 of 2016

DHAYA @ DHAYANIDHI

... PETITIONER/ACCUSED-1

Vs

STATE REP. BY INSPECTOR OF POLICE,
ORRATTHANADU POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.30 OF 2003)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.RAVI Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

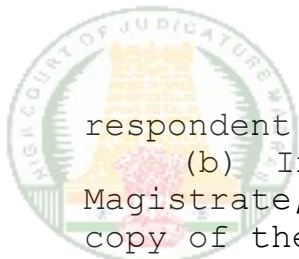
Petitioner/accused, prays for grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 302, 323, 342, 302 r/w 114 and 302 r/w 34 of IPC in Crime No.30 of 2003 on the file of the respondent police.

2.The learned counsel for the petitioner submits that based on the complaint given by the de facto complainant, the respondent police registered a case and after conducting investigation filed a charge sheet before the court and the same was taken on file in P.R.C.No.34 of 2003. He further submits that when the petitioner went to North India for his livelihood, the case against the petitioner was split up in P.R.C.No.17 of 2007 and the same is pending before the Judicial Magistrate, Orathanadu and in respect of the other accused are concerned, the case was committed to Court of sessions in S.C.No.2 of 2008 and after trial the learned Additional District and Sessions Judge (FTC No.2), Pattukottai, acquitted all the accused by judgment dated 21.01.2011.

3.Heard the learned Government Advocate (Crl. Side).

4.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the



respondent police;

(b) In the event of appearance before the learned Judicial Magistrate, Orathanadu, within 15 days from the date of receipt of a copy of the order,

(i) the petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;

(ii) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Tamil Nadu State Legal Services Authority, Madurai;

(iii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iv) the petitioner shall report before the committal court daily at 10.30 a.m. until committal and thereafter, appear before the Session Court on all dates of hearing except on those days when it is dispensed with under Section 317 Cr.P.C.

sd/-

26/09/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE ,
ORATHANADU

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT

3 INSPECTOR OF POLICE,
ORRATTHANADU POLICE STATION, THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE AUTHORISED OFFICER
TAMIL NADU LEGAL SERVICES AUTHORITY
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.S.RAVI Advocate SR.No.55679

ORDER IN
CRL OP(MD) No.18058 of 2016
Date :26/09/2016