



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

Wednesday, the Nineteenth day of October Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.19943 of 2016

BALAJI

... PETITIONER / ACCUSED-2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
JAMBUNAHTAPURAM POLICE STATION,
JAMBUNATHAPURAM, TRICHY DISTRICT,
CRIME NO.186/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUTHUKRISHNAN, Advocate

For Respondent : M/S.K.V.RAJARAJAN, 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 the alleged offence punishable under Sections 294(b), 323, 324, 448 and 506(ii) IPC in Crime No.186 of 2016 on the file of the respondent Police, seeks anticipatory bail.

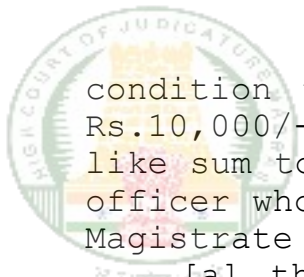
2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to some dispute, the petitioner entered into the house of the de facto complainant and attacked her with rod and caused injury.

4.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.

5.The learned Government Advocate (Crl.side) submitted that injured person has been discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that the injured person has been discharged from the hospital, 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, Thuraiyur 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 respondent Police daily at 10:30 am 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 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]**.

sd/-

19/10/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THURAIYUR, TRICHY.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE, JAMBUNAHTAPURAM POLICE STATION,
JAMBUNATHAPURAM, TRICHY DISTRICT,

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

+1. CC to M/S.S.MUTHUKRISHNAN, Advocate SR.No.61616.

ORDER

IN

CRL OP(MD) No.19943 of 2016

Date :19/10/2016

msm/gsv-pm/25.10.16/p2/6c