



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

Thursday, the Seventeenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20223 of 2016

MATHAN KUMAR

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT,
CR NO. 181 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

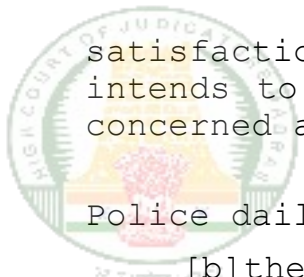
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) IPC in Crime No.181 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that while celebrating a temple festival, a dispute arose between the petitioner and the de facto complainant and the petitioner pushed down the de facto complainant and that the de facto complainant dashed against a stone and sustained injury.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

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

5.Considering the facts and circumstances of the case and also taking note of the fact that 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 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 a.m. 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/-
17/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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

4 THE SUB INSPECTOR OF POLICE
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT,

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.70074.

ORDER
IN
CRL OP(MD) No.20223 of 2016
Date :17/11/2016

AM/SK SKN/SAR-3/23.11.2016/2P/6C