



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

Tuesday, the Twenty Fifth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20363 of 2016

MAKUDAPATHY

... PETITIONER/ACCUSED No.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO.792 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.GOKUL Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

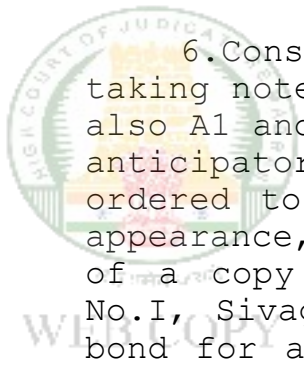
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(ii) IPC and Section 3 of TNPDDL Act, in Crime No.792 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that the petitioner is studying B.A.(Tamil) at Mannar Duraisingam Arts College. Due to some dispute between the students, a complaint has been given against the petitioner.

4.It is submitted by the learned counsel for the petitioner that the petitioner is a college student and he 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 it is a case of case in counter. He further submitted that A1 and A2 were already arrested and enlarged on bail.



6.Considering the facts and circumstances of the case and taking note of the fact that the petitioner is a college student and also A1 and A2 were already enlarged on bail, 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 No.I, Sivagangai, 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 attend all the classes without fail and appear before the respondent Police as and when required.

[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/-
25/10/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.1 SIVAGANGAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
 - 3 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.K.GOKUL Advocate SR.No.64052

ORDER
IN
CRL OP(MD) No.20363 of 2016
Date :25/10/2016