



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP (MD) No.20599 of 2016

ARJUNAN,

... PETITIONER/ACCUSED Rank not known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.250 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.ANGAPPAN 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 :-

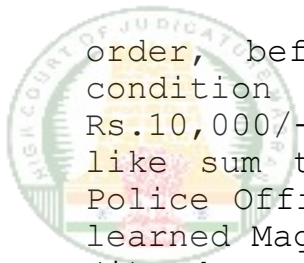
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.250 of 2016, on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that on 04.10.2016, the petitioner abused the *de facto* complainant in filthy language and attacked her by wooden logs.

3. The learned counsel for the petitioner submitted that the petitioner and the *de facto* complainant are husband and wife, he is an innocent, he has no connection with this case and he has been falsely implicated in this case due to personal enmity.

4. The learned Government Advocate (Criminal Side) appearing for the State submitted that the injured has already been discharged from the Hospital and there is no previous case as against the petitioner.

5. Taking into consideration the nature of allegations made against the petitioner, this Court is of the view that this is a fit case to grant anticipatory bail to him. Accordingly, he 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, Srivaikundam, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) 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]**.

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 conditions or not.

sd/-

26/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM
- 2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.ANGAPPAN Advocate SR.No.64111

ORDER

IN

CRL OP(MD) No.20599 of 2016

Date :26/10/2016