



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

Tuesday, the First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20662 of 2016

SAKTHIVEL

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,  
KABISTHALAM POLICE STATION,  
THANJAUVAR DISTRICT.

CR.NO.347 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.KARNAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

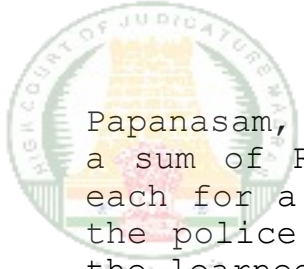
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 341, 294(b), 323, 324, 506(ii) and 307 IPC in Crime No.347 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused attacked the deceased with arival and caused injury.

3.It is submitted by the learned counsel for the petitioner that this petitioner attacked the de facto complainant with hands. He further submitted that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.side) submitted that injured person has already been discharged from the hospital and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering 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 fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate,



Papanasam, 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 **concerned Court 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/-

01/11/2016

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PAPANASAM,  
THANJAVUR DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.

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

4 THE INSPECTOR OF POLICE, KABISTHALAM POLICE STATION,  
THANJAVUR DISTRICT.

+1. CC to M/S.G.KARNAN Advocate SR.No.64585

ORDER IN

CRL OP(MD) No.20662 of 2016

Date :01/11/2016

PBK/SK-SKN/SAR-I 02/11/2016 ::2P-6C: