



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

Wednesday, the Second day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20811 of 2016

MOHAMMED ISMAIL

... PETITIONER / RANK NOT KNOWN

Vs

STATE REP.BY

INSPECTOR OF POLICE,

MATHICHIYAM POLICE STATION,

MADURAI CITY

(CR.NO.934 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offence punishable under **Sections 147, 341, 294(b), 323 and 506(i) I.P.C in Crime No.934 of 2016** on the file of the respondent police, the petitioner has come forward with this petition **seeking anticipatory bail.**

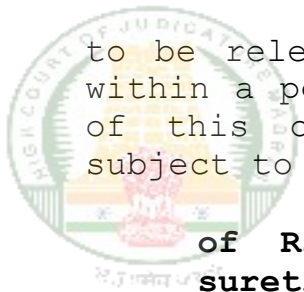
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that when the defacto complainant came to shop of the petitioner for purchasing sarees, he missed his footwear. Due to that, a quarrel arose, in which, the workers of the petitioner's shop slapped the defacto complainant and scolded him in filthy language.

4. According to the petitioner, he is innocent of the offence alleged against him. Further according to him, no injury has been caused by him.

5. Learned Government Advocate (Crl. Side) submitted that the petitioner did not cause any injuries on the defacto complainant and investigation is pending.

6. Considering the nature of the offence and the fact that no injury has been caused by the petitioner, the petitioner is ordered



to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.II, Madurai**, subject to the following conditions:

(i) 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 Magistrate concerned;

(ii) **the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required and he shall not leave Tamil Nadu;**

(iii) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-

02/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
MATHICHIYAM POLICE STATION, MADURAI CITY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.K.MANICKAM Advocate SR.No.65084

GJM/SS2/SAR-III-9.11.16-2P-6C

ORDER

IN

CRL OP(MD) No.20811 of 2016

Date :02/11/2016