



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

Thursday, the Twenty Fourth day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20878 of 2016

WEB COPY

KARTHI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
THIRUKOSTIYUR POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO. 129/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.VENKATA SUBRAMANIAN Advocate

For Respondent : M/S.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), 324, 506(ii) IPC in Crime No.129 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 29.10.2016 the petitioner attacked the de facto complainant with aruval and caused 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 on which the order copy is made ready, before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, 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 twice at 10.00 a.m. and 6.00 p.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/-
24/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE
THIRUPPATHUR, SIVAGANGAI DISTRICT.

2 -DO THROUGH-
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE
THIRUKOSTIYUR POLICE STATION,
SIVAGANGAI DISTRICT,

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

+1. CC to M/S.P.VENKATA SUBRAMANIAN Advocate SR.No.72728

ORDER
IN
CRL OP(MD) No.20878 of 2016
Date :24/11/2016

ANR/CK/SAR1/07.12.2016/2P/6C