



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20897 of 2016

KARUPPAIAH

... PETITIONER/ ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT
(CRIME NO.297 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SHAKUL HAMEED 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 offences punishable under Sections **(*)294(b), 323, 324 and 506(ii) of IPC**, in Crime No.297 of 2016 on file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to wordy quarrel, the petitioner abused the defacto complainant with filthy language and threatened him with dire consequences.

4.Learned counsel for the petitioner submitted that the petitioner is innocent and that a false case is foisted against him.

5.Learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital.

6.Taking note of the facts and circumstances of the case, as the injured 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 his arrest or appearance, within a period of fifteen days from the date



of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi 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 report before the respondent police daily at 10.30 a.m. until further orders;

(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/-

03/11/2016

**(*)CORRECTED ORDER ISSUED DATED
13.02.2017 MADE IN CRL.MP(MD)NO.1230/2017
IN CRL.OP(MD)NO.20897/2016 BY AMBAJ**

Sd/-

13.02.2017

**(*)TIME IS EXTENDED BY TWO WEEKS
FOR COMPLYING THE CONDITIONS IMPOSED IN
THE CRIMINAL ORIGINAL PETITION FROM
THE DATE OF RECEIPT OF COPY OF THIS
ORDER**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
 - 3 THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SHAKUL HAMEED Advocate SR.No.65412
JAM/09.11.16/GSV-PM/SAR 3 /2p-6c
SVA/MR/SAR2/16.2.2017/2P/6C

ORDER

IN

CRL OP(MD) No.20897 of 2016
Date :03/11/2016