



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

Wednesday, the Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21326 of 2016

ANTONY RAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
MEINGANAPURAM POLICE STATION,
TUTICORIN DISTRICT
CRIME NO.237 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.SUDALAIYANDI 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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of I.P.C., in Crime No.237 of 2015 on the file of the respondent police, seeks anticipatory bail.

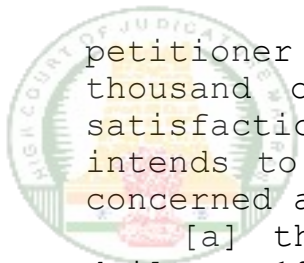
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3.The case of the prosecution is that on 30.10.2016, when the petitioner and the de-facto complainant were working in a garden, there was a wordy quarrel arose between them and the petitioner said to have attacked the de-facto complainant and caused injuries to him.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and he has been falsely implicated in this case and he may be granted anticipatory bail.

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

6. Considering the facts and circumstances of the case and that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners. 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 Judicial Magistrate, Sathankulam, Tuticorin 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 at 10.00 a.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/-

09/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SATHANKULAM, TUTICORIN DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE
MEINGANAPURAM POLICE STATION, TUTICORIN DISTRICT

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SUDALAIYANDI Advocate SR.No.68021

AKV

CSL/SS-2/SAR-I/17.11.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.21326 of 2016

Date :09/11/2016