



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

Friday, the Eleventh day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21450 of 2016

KANISELVAM

..PETITIONER/ACCUSED

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

VEERAPANDI POLICE STATION,

VEERAPANDI, THENI DISTRICT.

(CRIME NO.252/2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S K.ASOK KUMAR RAM Advocate

For Respondent : M/s.S.PRABHA, 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 Sections 294(b), 324, 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.252 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de-facto complainant are close relatives and due to property dispute, on 23.06.2016, a wordy quarrel arose between the petitioner and the de-facto complainant and the petitioner said to have attacked the de-facto complainant.

3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the injured has been discharged from the hospital.

5. 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 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 Judicial Magistrate, Theni, Theni 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/-

11/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THENI.

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

4 THE INSPECTOR OF POLICE, VEERAPANDI POLICE STATION,
THENI DISTRICT.

+1. CC to M/S K.ASOK KUMAR RAM Advocate SR.No.67971

ORDER IN

CRL OP(MD) No.21450 of 2016

Date : 11/11/2016

PBK/MPA/AR-CS-II 24/11/2016 :: 2P-6C: