



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

Monday, the Twenty Eighth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.22451 of 2016

M.NALLATHAMBI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
SILAIMAN,MADURAI DISTRICT
(CR.NO.512 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.THIAGARAJAN 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 :-

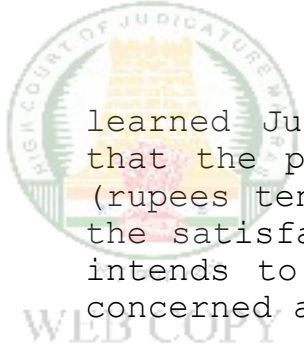
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 506(ii) IPC r/w Section 4 of TNPWH Act, in Crime No.512 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the de facto complainant are husband and wife. Due to some family dispute, the petitioner attacked her wife and thereby caused simple injury on her.

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 the petitioner caused simple injury. She further submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that the petitioner caused simple injury, 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 No.II, Madurai 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 10.30 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/-
28/11/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

4 THE SUB INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
SILAIMAN, MADURAI DISTRICT

+1. CC to M/S.G.THIAGARAJAN Advocate SR.No.73463.

ORDER
IN
CRL OP(MD) No.22451 of 2016
Date :28/11/2016