



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

Friday, the Second day of December Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22869 of 2016

SULAIMAN,

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
PAVVORCHATRAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR.No.455 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.SUSIKUMAR Advocate

For Respondent : Mrs.S.PRABHA, Government 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 and 506 (ii) IPC in Crime No.455 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that due to wordy quarrel, the petitioner is alleged to have abused the defacto complainant in filthy language and also attacked him with sticks, which resulted in registration of the case.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case.

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

6. Considering the facts and circumstances of the case and taking note of the fact that injured has been discharged from the hospital, this Court is of the view that custodial interrogation of this petitioner is not necessary at this stage. **Therefore, this**



Court is inclined to grant anticipatory bail to the petitioner.

7. 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 **Judicial Magistrate, Tenkasi, 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. for two weeks and thereafter, as and when required for interrogation;

(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/-
02/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
 - 3 THE INSPECTOR OF POLICE,
PAVVORCHATRAM POLICE STATION, TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.SUSIKUMAR Advocate SR.No.78634

ORDER IN
CRL OP(MD) No.22869 of 2016
Date :02/12/2016