



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

Wednesday, the Fourteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23008 of 2016

KANNAN

... PETITIONER /1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PALAYANUR POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.98 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.KANNAN Advocate

For Respondent : MR.P.KADASAMY Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

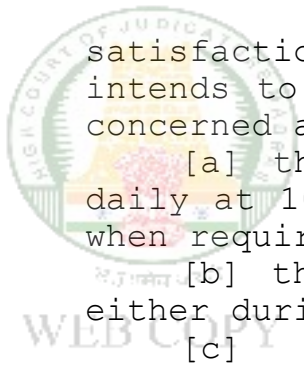
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(ii) of IPC in Crime No.98 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The learned counsel for the petitioner submits that none sustained injury in the alleged occurrence and the second accused was granted anticipatory bail by this Court in Crl.O.P.(MD) No.22885 of 2016 02.12.2016 and he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.side) states that nobody was injured in this case.

5.Considering the facts and circumstances of the case and considering the fact that none sustained injury in this case, 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, Manamadurai, on condition that the petitioner shall execute a separate 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 for a period of two weeks and thereafter as and when required.

[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/-
14/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MANAMADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE,
PALAYANUR POLICE STATION,
SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF THE MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.Muniyandi Advocate SR.No.80933

GJM/SK/SAR-2-16.12.16-2P-6C

ORDER
IN
CRL OP(MD) No.23008 of 2016
Date :14/12/2016