



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

Monday, the Fifteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2704 of 2016

C.DINESHKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
SOUTH POLICE STATION,  
CUMBUM, THENI DISTRICT.  
(CRIME NO. 46 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU 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 offences punishable under Section 448, 294(b) and 506(ii) I.P.C. in Crime No.46 of 2016 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 learned Government Advocate (Crl.Side) submitted that it is a case and counter and the injured has also been discharged from the hospital.

4. Taking into consideration the facts and circumstances of the case, this Court is 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, Uthamapalayam 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 appear before the respondent police daily at 06.30 p.m. for a period of two weeks and thereafter as and when required for interrogation;

[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 Judicial 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 Judicial 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]**.

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioners are complying with the order or not.

sd/-  
15/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,  
UTHAMAPALAYAM.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,  
THENI DISTRICT.

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

4 THE INSPECTOR OF POLICE  
SOUTH POLICE STATION,  
CUMBUM, THENI DISTRICT.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.8877

akm/16.02.2016/2p-6c/SKN/SK/AR-II

ORDER  
IN  
CRL OP(MD) No.2704 of 2016  
Date :15/02/2016