



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

Thursday, the Twenty Fifth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3407 of 2016

SUBRAMANIAN

..PETITIONER/ACCUSED NO.4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT,
CR NO.450 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S D.SENTHIL Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(B), 324, 307 and 506(ii) I.P.C., in Crime No.450 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.D.Senthil, learned counsel appearing for the petitioner / 4th accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is the case of the prosecution that there was a wordy quarrel between Muniyasamy / 1st accused and the *de facto* complainant and in which Muniyasamy / 1st accused is alleged to have attacked the *de facto* complainant and the petitioner / 4th accused is alleged to have threatened him with dire consequences.

4. It is represented that the injured has been discharged from the hospital and Muniyasamy / 1st accused has been granted anticipatory bail by this Court, vide Order dated 09.12.2015 in Crl.O.P.(MD) No.23365 of 2015.

5. Taking into consideration the fact that the co-accused has been granted anticipatory bail by this Court, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner / 4th accused. Accordingly, he 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, Paramakudi, on condition that the petitioner / 4th accused 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 to the



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Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / 4th accused shall report before the respondent Police daily at 10.00 a.m., until further orders.
- (ii) the petitioner / 4th accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / 4th accused shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / 4th accused in accordance with law as if the conditions have been imposed and the petitioner / 4th accused 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-

25/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.

+1. CC to M/S D.SENTHIL Advocate SR.No.10851

akm/03.03.2016/2p-6c/GSV/AN/SAR-I

ORDER

IN

CRL OP(MD) No.3407 of 2016

Date :25/02/2016