



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

Thursday, the Third day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3646 of 2016

BALAKRISHNAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PAZHAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 44 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.SASIKUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

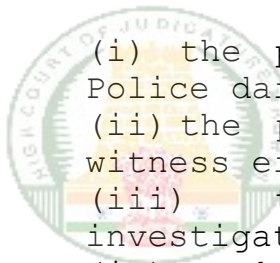
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 324, 294(b) and 506(ii) I.P.C., in Crime No.44 of 2016, on the file of the respondent Police, seeks anticipatory bail.

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

3. It is represented that the injured has been discharged from the hospital and there is no previous case against the petitioner except the present case.

4. Taking into consideration the above facts, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner / 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, Valliyoor, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



(i) the petitioner / accused shall report before the respondent Police daily at 06.30 p.m., until further orders.
(ii) the petitioner / accused shall not tamper with evidence or witness either during investigation or trial.
(iii) the petitioner / 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 / accused in accordance with law as if the conditions have been imposed and the petitioner / 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]**.

5. 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/-
03/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE ,VALLIYOOR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,PAZHAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.SASIKUMAR Advocate SR.No.12530

CSL/NGM-SS/SAR-I/07.03.2016/2P/6C

ORDER
IN
CRL OP (MD) No.3646 of 2016
Date :03/03/2016