



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

Thursday, the Twenty Fourth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.4256 of 2016

WEB COPY

PARTHASARATHY

... PETITIONER/ACCUSED No.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT,
CR NO. 62 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.THIRUVADI KUMAR 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 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 307 and 506(ii) I.P.C. in Crime No.62 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) appearing for the State.

3. It is seen that the victim in this case is an accused in S.C.No.290 of 2015 for causing death of the petitioner's mother. It is seen that this petitioner was standing along with his brother who is arrayed as A.1 when the victim was attacked.

4. The learned Government Advocate (Crl.Side) that there is no previous case as against this petitioner.

5. Taking into consideration the nature of the allegations against the petitioner, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruchendur 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. until further orders;



[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 petitioner is complying with the order or not.

sd/-

24/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUCHENDUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.THIRUVADI KUMAR Advocate SR.No.16727

ORDER

IN

CRL OP(MD) No.4256 of 2016

Date :24/03/2016

PA/AN-MP/AR I/29.03.2016/2P/6C