



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

Thursday, the Thirty First day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5537 of 2016

PERIASAMY

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

State rep.by
THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT,
CR NO. 170 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.SENGUTTUARASAN 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 :-

Apprehending arrest at the hands of the respondent police in Crime No.170 of 2015, on the file of the respondent police for offences under Sections 147, 148, 294(b), 323, 324, 435, 307 IPC r/w 3(1) TNPPDL Act, the petitioner is now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

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

4.Taking into consideration the nature of the allegation against this petitioner and the fact that injured has been discharged, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.

5. 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, NO.II, Usilampatti, Madurai District, on executing 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 every day at 6.30 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 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition or not.

sd/-

31/03/2016

/ TRUE COPY /

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

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1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI, MADURAI DISTRICT

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S P.SENGUTTUARASAN Advocate SR.No.18232

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ORDER

IN

CRL OP(MD) No.5537 of 2016

Date :31/03/2016