



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.5551 of 2016

MURUGAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

KUMBAKONAM, THANJAVUR DISTRICT.

(CRIME NO. 1 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S AN.RAMANATHAN 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 354-A-(1)(i), 354-D(1), 294(b) and 506(i) I.P.C., in Crime No.1 of 2016, on the file of the respondent Police, seeks anticipatory bail.

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

3. It is seen that there is a previous enmity between the petitioner / accused and the *de facto* complainant's family, which is admitted by the *de facto* complainant even in the F.I.R. While so, for the alleged incident that took place on 08.03.2016, the *de facto* complainant has lodged the complaint only on 18.03.2016 and F.I.R., has been registered thereon.

4. Taking into consideration these aspects, 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 No.II, Kumbakonam, on condition that the petitioner / 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 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/-

31/03/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM  
2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM  
3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, KUMBAKONAM, THANJAVUR DISTRICT.  
4 THE ADDL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.AN.RAMANATHAN, Advocate Sr.No. 18249

ORDER

IN

CRL OP(MD) No.5551 of 2016

Date : 31/03/2016

AA/GSV-PM/AR-I/05.04.2016/2p-6c