



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

Wednesday, the Eleventh day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice P.KALAIYARASAN

CRL OP(MD) No.7889 of 2016

RAMA MOORTHY @ MOORTHY

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO. 197/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SUBASH BABU Advocate

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

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

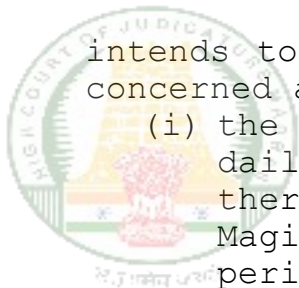
ORDER : The Court Made the following order :-

The petitioner, who apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 447, 448, 342, 294(b) and 307 I.P.C., in Crime No.197 of 2016, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.M.Subash Babu, learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) submitted that the injured has been discharged from the hospital and co-accused has already been released on bail and the petitioner has no previous 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. 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.I, Ramanathapuram, 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 shall report before the respondent Police daily at 10.30 a.m., for a period of one month and thereafter he shall report before the learned Judicial Magistrate No.I, Ramanathapuram, once in a week for a period of one month i.e., on every Monday at 10.30 a.m.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner 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 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]**.

sd/-

11/05/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE, DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S M.SUBASH BABU Advocate SR.No.26262

JIKR/PJL

CSL/MP/SAR-I/13.05.2016 :2P/6C

ORDER

IN

CRL OP(MD) No.7889 of 2016

Date :11/05/2016