



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.7956 of 2016

K.MUHAMMAD JINNAH

..PETITIONER/ACCUSED

(RANK NOT KNOWN)

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,
THARAVAikulam POLICE STATION,
TUTICORIN DISTRICT.

IN CRIME NO. NOT KNOWN / 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SUBASH BABU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner / accused, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294 (b), 506(ii) IPC r/w Section 4 of Women Harassment Act, in Crime No.Not Known of 2016, on the file of the respondent Police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3.The learned counsel for the petitioner submits that due to previous enmity, this case has been foisted against the petitioner and that the petitioner is having permanent residence.

4.The learned Government Advocate submits that now the case has been registered in Crime No.76 of 2016 and concedes that there are earlier disputes between the parties.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner is having permanent residence, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners. 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, Vilathikulam, on condition that 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, Vilathikulam, once in a week i.e., on every Monday at 10.30 a.m., for a period of one month.

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

(iii) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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, VILATHIKULAM, THOOTHUKUDI DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE,THOOTHUKUDI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, THARAVAikulam POLICE STATION,
TUTICORIN DISTRICT.

+1. CC to M/S M.SUBASH BABU Advocate SR.No.26253

ORDER IN
CRL OP(MD) No.7956 of 2016
Date :11/05/2016

PBK/MP/SAR-I 13/05/2016 ::2P-6C::