



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.9564 of 2016

S.RAJENDRAN NATH @ RAJENDRAN NATHAN,

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION, MUKKUDAL,
TIRUNELVELI DISTRICT.
(IN CRIME NO.56/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.KRISHNAN Advocate

For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 323, 294(b) and 506(i) of IPC, in Crime No.56 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

3. The learned counsel appearing for the petitioner submitted that this Court by order dated 27.04.2016, granted anticipatory bail to the petitioner in Crl.O.P(MD).No.7216 of 2016, but, the petitioner did not comply with the condition imposed by this Court. Hence, the present petition has been filed by the petitioner on the ground that the petitioner was contested election at the Alangulam Constituency and he also affected Jaundice and due to that, the petitioner could not comply the condition imposed by this Court.



5. Considering the facts and circumstances of the case and also the fact that this Court has already granted anticipatory bail to the petitioner in Crl.O.P(MD).No.7216 of 2016 dated 27.04.2016, I am inclined to grant anticipatory bail to the petitioner, with certain conditions. 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 District Munsif-cum-Judicial Magistrate, Cheranmahadevi, 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 06.30 p.m., until further orders.
- (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]**.

6. 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/-

30/06/2016

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, CHERANMAHADEVI
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION, MUKKUDAL, TIRUNELVELI DISTRICT.
- +1. CC to M/S S.KRISHNAN Advocate SR.No.34274
RL/6C/2P/ARK/PV/SARII/4/7/2016

ORDER

IN

CRL OP(MD) No.9564 of 2016

Date : 30/06/2016