

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the Thirtieth day of November Two Thousand Sixteen
PRESENT
The Hon`ble Mr Justice S.VAIDYANATHAN
CRL OP(MD) No.22654 of 2016

CHELLA KANI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

1 THE INSPECTOR OF POLICE
T. KALLUPATTI POLICE STATION,
MADURAI DISTRICT,
CR NO. 253 OF 2016. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.SIVASUBRAMANIAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC in Crime No.253 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that due to family dispute, the petitioner along with other accused attacked the de facto complainant and caused injury.

4.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

5.The learned Government Advocate (Crl.side) submitted that this is a case of family dispute and the injured person has been discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that injured person has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner. 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 District Munsif cum Judicial Magistrate, Peraiyur on condition that the petitioner shall execute 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 daily at 10:30 a.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].

sd/-
30/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAIYUR.

2 -DO THROUGH-
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
T. KALLUPATTI POLICE STATION,
MADURAI DISTRICT,

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

+1. CC to M/S.A.SIVASUBRAMANIAN Advocate SR.No.74807

ORDER
IN
CRL OP(MD) No.22654 of 2016
Date :30/11/2016

ANR/SK-SKN/SAR3/05.12.2016/2P/6C