

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Dr. Justice S. VIMALA

CRIMINAL ORIGINAL PETITION No.9107 of 2017

RASU @ MYILSAMY,

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR.
CR.NO.396/2017.

[RESPONDENT]

PALANISAMY [INTERVENING PETITIONER / THE COMPLAINANT]
[ORDERED AS PER ORDER OF THIS COURT DATED 24/05/2017 IN CRL
MP.6553/2017]

For Petitioner : M/S.KINGSLY SOLOMON J Advocate

For Respondent : MR. M.MOHAMED RIYAZ, Govt. Advocate (Crl. Side)

For Intervenor : M/S.P. KALIMUTHU, Advocate

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 offences punishable under Sections 294-(b), 324 and 506 (ii) IPC, in Crime No.396 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner has nothing to do with the alleged offence.

3. The learned Government Advocate (Crl. Side) would submit that the injured has been discharged from the hospital and as there is no previous case pending as against the petitioner, he has no objection to grant anticipatory bail to the petitioner.

4. The case of the prosecution is that the petitioner and the defacto complainants are having land in the same locality and both are having civil dispute over the land. Since the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Judicial Magistrate, Palladam, 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 the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate concerned, and on further condition that:

(i) the petitioner shall report before the respondent Police, on every Monday and Wednesday, at 10.30 am, for a period of four weeks and thereafter, as and when required for interrogation;

(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 authorized to take appropriate action against the petitioner, in accordance with law, as if the conditions have been imposed and the petitioner was released on bail by the learned Magistrate / Trial Court, as laid down by the Hon'ble Supreme Court in the case of **P.K.Shaji v. State of Kerala (2005) AIR SCW 5560**.

-sd/-

24/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PALLADAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE, PALLADAM POLICE
STATION, TIRUPPUR.

+1CC to M/S.KINGSLY SOLOMON J Advocate on payment of
necessary charges SR.NO. 9467

CRL OP.9107/2017

Date :24/05/2017

EGR 29/05/2017