

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)
Friday, the Fifth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN
CRIMINAL ORIGINAL PETITION No.8969 of 2017

BALU @ BALASUBRAMANIAM

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KAVUNDAPADI POLICE STATION,
ERODE DISTRICT,
CR.NO.138/2017.

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : MR. B. RAMESH BABU, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 324, 323, 307 and 506[ii] of IPC on the file of the respondent police in Crime No.138 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioner and the de facto complainant, in respect of which, OS.No.436 of 2015 is pending on the file of the District Munsif Court, Bhavani. Due to wordy quarrel with regard to the pathway, the petitioner assaulted the de facto complainant.

3. Learned counsel appearing for the petitioner submits that the co-accused have been granted anticipatory bail and the injured has been discharged from the hospital and that the petitioner is a permanent resident and therefore, he may be granted anticipatory bail.

4. Learned Government Advocate [Crl. Side] though opposes this petition, concedes that the injured has been discharged from the hospital and fairly submits that co-accused were granted anticipatory bail.

5. Considering the fact that the injured has been discharged from the hospital, release of co-accused on anticipatory bail and that the petitioner is having permanent residence and also the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate-II, Gobichettipalayam and on executing 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 learned Judicial Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

-sd/-

05/05/2017

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-II,
GOBICHETTIPALAYAM.

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

3 THE DISTRICT MUNSIF COURT
BHAVANI.ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE
KAVUNDAPADI POLICE STATION, ERODE DISTRICT

+1CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges SR.NO. 8414

CRL OP.8969/2017

Date :05/05/2017

EGR 09/05/2017