



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

Wednesday, the Ninth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10395 of 2017

JAKKAISTHAN ALIAS KANNAN
(WRONGLY MENTIONED AS
KANNAN IN THE FIR)

... PETITIONER / ACCUSED No.4

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI DISTRICT
CR NO. 392/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.BALAMURUGANANTHAM Advocate

For Respondent : Mr.A.RAMAR, Additional Public Prosecutor

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

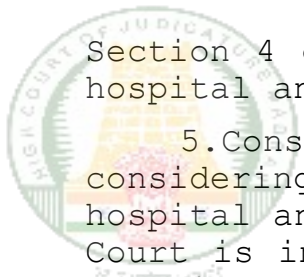
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 341, 294 (b), 324, 307 and 506(ii) of IPC in Crime No.392 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the due to wordy quarrel, the petitioner is said to have threatened the de facto complainant and his brother viz., Esakkipandian with Aruval and the other accused are said to have attacked the de facto complainant in this case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is nothing to do with the alleged offence and he has been falsely implicated by the respondent police. He further submitted that the co-accused has already been released on bail by this Court in CrI.O.P(MD).No.9778 of 2017 dated 27.07.2017.

4. The learned Additional Public Prosecutor appearing for the respondent Police on instructions would submit that there are 4 named accused and 2 un-named accused are involved in this case and the petitioner herein is arrayed as A4. He further submitted that the petitioner is having one previous case in Crime No.394 of 2017 for the offences under Sections 341, 294(b) and 506(i) of IPC and



Section 4 of TNHW Act and the injured has been discharged from the hospital and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and that the co-accused was already released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Thirunelveli and on his 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 Magistrate concerned and on further condition that the petitioner shall appear before the learned Judicial Magistrate No.I, Thirunelveli on all working days at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

09/08/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
THIRUNELVELI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI

3 THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to Mr.R.BALAMURUGANANTHAM Advocate SR.No.28516

JAM/11.08.17/PM-PN/SAR 2/ 2P-6C

ORDER

IN

CRL OP(MD) No.10395 of 2017

Date :09/08/2017