

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

Tuesday, the Twenty Second day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10436 of 2017

KIRUBANANTHAVARI

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
NORTH POLICE STATION,
DINDIGUL,
DINDIGUL DISTRICT.
CRIME NO.363 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.R.KANNAPPAN 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 :-

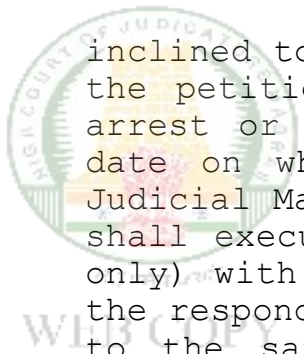
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 427, 506(i) of IPC in Crime No.363 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.Earlier the petitioner filed a petition seeking anticipatory bail in Crl.O.P.(MD)No.7849 of 2017 and this Court by order dated 23.06.2017 while granting anticipatory bail to the petitioner directed him to appear before the concerned Court within a stipulated time. The petitioner without appearing before the concerned Court within the stipulated time has filed the present Criminal Original petition for anticipatory bail. When the matter came up for hearing on 10.08.2017, this Court directed the petitioner to deposit a sum of Rs.1,000/- to the High Court Legal Service Committee.

3.The learned counsel for the petitioner submitted that the petitioner has complied with the condition and proof of payment is also produced today.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 2 accused in this case and the petitioner herein is arrayed as A1. He further submitted that the investigation is still pending.

5.Considering the facts and circumstances of the case, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Dindigul 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 Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police as and when required.

[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/-
22/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE INSPECTOR OF POLICE
NORTH POLICE STATION, DINDIGUL, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.R.KANNAPPAN Advocate SR.No.29188

GNS
CSL/CM-MSA/SAR-I/28.08.2017 :2P/6C

ORDER
IN
CRL OP(MD) No.10436 of 2017
Date :22/08/2017