



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

Monday, the Twenty First day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10831 of 2017

PARAMASIVAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO.412 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASI KUMAR Advocate

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

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

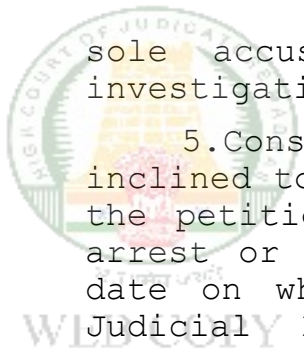
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 341, 294 (b), 384, 353, 506(i) of IPC and Section 67(A) of Information Technology Act, 2000 in Crime No.412 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused is said to have threatened the de facto complainant by demanding a sum of Rs.2,00,000/- for the injury caused to one Tamilarasan, who is working as a Wireman in Tamil Nadu Generation and Distribution Corporation Ltd., Kovilpatti. It is further said fact was also uploaded in the WhatsApp.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. He further submitted that the petitioner did not commit the alleged offence and a false case had been foisted against the petitioner with ulterior motive.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that petitioner is the



sole accused in this case. 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.I, Kovilpatti 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 daily at 10.30 a.m. for a period of three weeks.

[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/-
21/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SASI KUMAR Advocate SR.No.29134
ORDER
IN
CRL OP(MD) No.10831 of 2017
Date : 21/08/2017