



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

Wednesday, the Twenty Third day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10946 of 2017

S.SELVAKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
M.KALLUPATTI POLICE STATION,
USILAMPATTI SUB DIVISION,
MADURAI DISTRICT.
CRIME NO. 105 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.KARMEGAM Advocate

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

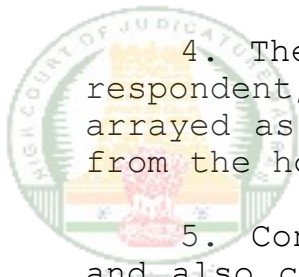
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC., in Crime No.105 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that there was wordy quarrel arose between the defacto complainant and the petitioner. The petitioner said to have attacked with iron rod on both shoulder of the defacto complainant and caused injury.

3. The learned counsel appearing for the petitioner states that there is a dispute in respect of parking vehicle and the present case was registered against the petitioner herein. He would further submit that the petitioner is innocent person and he has not committed any offence as alleged by the defacto complainant. On the other hand the defacto complainant had attacked and stabbed the petitioner, the petitioner got major injury moreover the defacto complainant using caste line words of the petitioner. Hence the counter case was also registered in Crime No.104 of 2017 including SC/ST Act and the complaint given by the petitioner herein.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner herein arrayed as sole accused in this case and the injured was discharged from the hospital and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that, injured was discharged from the hospital and there is counter case given by the petitioner herein and also pending against the defacto complainant in this 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 arrest or on his appearance, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District, 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 the petitioner shall report before respondent Police daily at 10.30 a.m., for a period of three weeks. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

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

sd/-
23/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,USILAMPATTI, MADURAI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE
M.KALLUPATTI POLICE STATION, USILAMPATTI SUB DIVISION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10946 of 2017
Date :23/08/2017