



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

Monday, the Twenty Eighth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11066 of 2017

M. KAMALADASAN

... PETITIONER/ ACCUSED-2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NAINARKOVIL POLICE STATION,
PARAMAKUDI TALUK,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 146/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.I.MURUGESAN Advocate

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

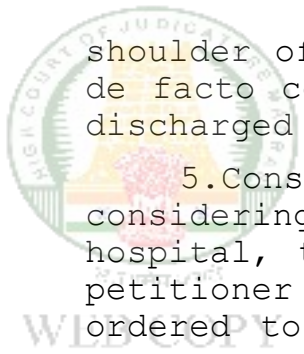
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147,148,294(b),323,324,506(ii) and 379 (NH) of IPC in in Crime No.146 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioner along with other accused are said to have attacked the de facto complainant and also abused him in filthy language. On complaint, a case has been registered against the petitioners.

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 in this case. He would further submit that both the petitioner and the de facto complainant are relatives and also already they are having civil dispute between them. He further contended that A1, A3 and A5 were already arrested and released on bail and anticipatory bail. He further stated that the petitioner was working as a Driver in abroad and planning to come to India for his own brother's son's marriage scheduled to be held on 31.08.2017.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that there are totally 7 named accused in this case and the petitioner herein is arrayed as A2 and he is said to have attacked with knife on the head and



shoulder of the Naveen Kumar, who is none other than brother of the de facto complainant. He further stated that 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 has been discharged from the hospital, 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, Paramakudi 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 respondent Police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation on receipt of summons. 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/-
28/08/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 3. THE INSPECTOR OF POLICE, NAINARKOVIL POLICE STATION,
PARAMAKUDI TALUK, RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.I.MURUGESAN Advocate SR.No.29341

ORDER
IN
CRL OP(MD) No.11066 of 2017
Date :28/08/2017

MS/CM-MSA/SAR.4/30.08.2017/2P.6C