



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

Wednesday, the Thirtieth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11297 of 2017

MADASAMY

... PETITIONER/ACCUSED NO.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION,
TUTICORIN DISTRICT,
CRIME NO.424 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ARAVIND RAJ Advocate

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

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

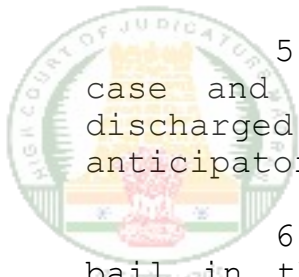
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 342, 323, 294(b) and 506(ii) of IPC., in Crime No.424 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the accused in this case restrained the defacto complainant and attacked him with stick and also threatened with dire consequences. The specific overt act attributed against the petitioner is that the petitioner said to have attacked with stick and caused simple injuries on the defacto complainant.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally three accused in this case and the petitioner herein is arrayed as A1 and all the accused are still absconding. The specific overt act attributed against the petitioner is that the petitioner said to have attacked with stick and caused simple injuries on the defacto complainant and the injured has been discharged from the hospital.



5. Considering the above 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.

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, Thoothukudi, 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 and thereafter, as and when required, for interrogation. 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/-
30/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ARAVIND RAJ Advocate SR.No.29597

MPK
CSL/RR-BS/SAR-I/31.08.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.11297 of 2017
Date :30/08/2017