



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

Tuesday, the Fifth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11645 of 2017

RAMESH @ RENGAN,

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY ITS
THE INSPECTOR OF POLICE,
KURUMBUR P.S., TUTICORIN DISTRICT.
CR.NO.125 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.Jeyakarthik Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

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

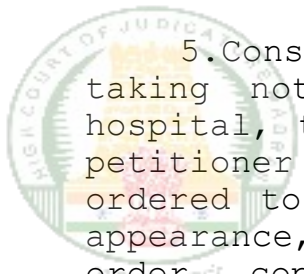
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 & 506(ii) of I.P.C., on the file of the respondent Police in Crime No.125 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that due to family dispute regarding celebration of the temple festival. The petitioner abused the defacto complainant by using filthy language.

3.The learned counsel for the petitioner submitted that he has never involved in the alleged offence and he is an innocent person and he has no bad antecedent against him. No such occurrence was held as alleged by the respondent police. The petitioner is falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that the petitioner is the sole accused in this case and due to family dispute regarding celebration of the temple festival, the petitioner is said to have attacked with hands and stick on the head of the defacto complainant and caused injuries. Injured were discharged in the hospital. Investigation is still pending.



5.Considering the facts and circumstances of the case and also taking note of the fact that injured were discharged in 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, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Srivaikundam, 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 for three weeks daily at 10.30a.m.until further orders, for interrogation.

[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/-
05/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE,
KURUMBUR POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.30202

ORDER
IN
CRL OP(MD) No.11645 of 2017
Date :05/09/2017