



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

Monday, the Sixth day of February Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP(MD) No.1165 of 2017

KARUPPASAMY PANDIAN

...PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT
(CRIME NO.3 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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, 324 and 506(i) IPC in Crime No.3 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that during conducting pongal festival, due to some dispute, wordy quarrel arose between the petitioner and the de facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that it is a case of case in counter and the counter case number is Crime No.5 of 2017 lodged by the petitioner.

4.The learned Government Advocate (Crl.side) submitted that no one sustained injury and investigation is 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, Kamuthi, 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:

WEB COPY [a]the petitioner shall report before the respondent Police daily at 10.30 a.m. for a period of 3 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/-
06/02/2017

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

TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUB INSPECTOR OF POLICE,
PERAIYUR POLICE STATION, RAMANATHAPURAM DISTRICT

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.6637.

ORDER
IN
CRL OP(MD) No.1165 of 2017
Date :06/02/2017

AM/SKN/SAR-3/13.02.2017/2P/6C