



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

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

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

WEB COPY

CRL OP(MD) No.11977 of 2017

V.AJITH @ AJITHKUMAR

... PETITIONER/ACCUSED No.9

Vs

STATE REP.BY ITS
THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI CITY.
CRIME NO.1671 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.VENKATESAN 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 **(*)147, 148, 294(b), 323, 324, 341 and 506(ii)** of IPC in Crime No. 1671 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that between the American College students, due to previous motive one group attacked the another group with weapons and one of them sustained blood injury.

3.The learned counsel for the petitioner submitted that the petitioner has not participated the alleged occurrence. There was a group motive between two groups in American College, due to that motive clash on 31.08.2017 at about 5.30 p.m but the petitioner is not connected with the said both groups but under false impression against the petitioner as if the friend of the attacked groups and gave a false complaint purposely.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instruction, would submit that there are totally 9 accused in this case and petitioner herein is arrayed as Accused No.9. The petitioner abused with filthy language against the ~~defence~~ complainant and the other accused are said to have attacked with weapons and caused injuries. Accused Nos.2,3,4 and 7 were arrested and others are still absconding. He further submitted that



investigation is pending and injured was discharged from the hospital.

6.Considering the facts and circumstances of the case and considering the fact that, injured was discharged from the hospital, 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 District Munsif Cum Judicial Magistrate Court No.II, Madurai 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 as and when required since he is a student, studying at American College.

[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)**.

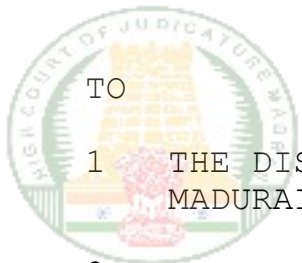
sd/-

19/09/2017

**(*) Amended as per order of this
Hon`ble Court made in Cr.MP(MD).8588/17
in CrI.OP(MD).11977/2017 dated.19.09.2017
by AMBAJ.**

/ TRUE COPY /

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



TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE NO.II,
MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI

3 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.VENKATESAN Advocate SR.No.31114

ORDER
IN
CRL OP (MD) No.11977 of 2017
Date :19/09/2017

PK/PM-PN/SAR-2/05.10.2017 : 3P/6C