



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

Thursday, the Fourteenth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12092 of 2017

NAGARANI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO.151 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.KAMESHWARAN Advocate

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

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

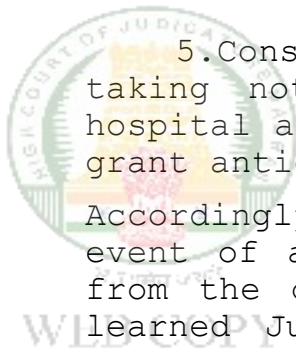
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 and 506(i) IPC in Crime No.151 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to some land dispute, the petitioner attacked the de facto complainant and also threatened with dire consequences.

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 also submitted that the de facto complainant along with others, in order to grab the property of the petitioner, trespassed into the petitioner's land and attacked her with knife and tried to kill her. Due to the same, she sustained grievous injury and she was admitted in hospital as inpatient and that the petitioner preferred a complaint and the same was registered in Crime No.152 of 2017.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioner is the sole accused and the petitioner is said to have attacked the de facto complainant with stick and pulled her hair and also kicked her and thereby, caused injury on the left hand and thumb finger and pushed down the son of the de facto complainant. He further submitted that it is a case of case in counter and injured was discharged from the hospital and investigation is still pending.



5.Considering the facts and circumstances of the case and also taking note of the fact that injured was discharged from the hospital and also it is a case of case in counter, 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 her appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Aruppukottai, 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 daily at 10.30 a.m. for a period of 3 weeks and thereafter, as and when required.

[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/-

14/09/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE,
TIRUCHULI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI

ORDER
IN
CRL OP(MD) No.12092 of 2017
Date :14/09/2017

PK/CM-MSA/SAR-4/19.09.2017: 2P/5C