



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

Friday, the Twenty Second day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.12503 of 2017

M.SHEIK JALIL

... PETITIONER / ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT .
CR.NO.919/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.M.A. JINNAH Advocate

For Respondent : Mr.K.S.DURAI PANDIAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

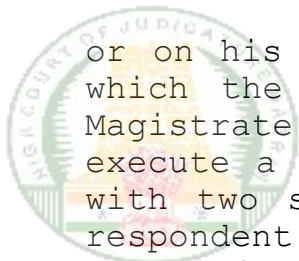
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 341, 324 and 506(ii) of I.P.C, on the file of the respondent Police in Crime No.919 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that two unknown persons assaulted the de-facto complainant, his wife and two daughters with iron rod and knife. In this regard, a complaint has been lodged.

3.The learned counsel for the petitioner states that the petitioner is an innocent and he has been falsely implicated in this case. It is further stated that the petitioner and the de-facto complainant are the brothers. The de-facto complainant lodged a complaint against unknown persons but the respondent police with an intension to harass the petitioner in the guise of enquiry.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that the injured was discharged from the hospital and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from 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 I, 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 daily at 10.30 a.m. 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/-

22/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
- 3 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

JAM/27.09.17/CM-MSA/SAR 2/ 2P-5C

ORDER

IN

CRL OP(MD) No.12503 of 2017

Date :22/09/2017