



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.12608 of 2017

PAPPU @ ANANDA PARBANATHAN,

... PETITIONER / ACCUSED RANK 4

Vs

THE INSPECTOR OF POLICE,
MANOOR POLICE STATION, MANOOR, TIRUNELVELI DISTRICT.
(CR.NO.457/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.GOMATHI SANKAR Advocate

For Respondent : Mr.K.S.Duraipandian, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

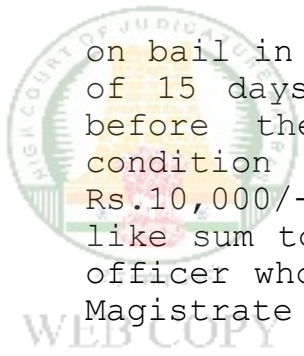
The petitioner/A4, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 341, 294(b), 324, 307, 506(2), 109, 120B of I.P.C., in crime No.457 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused 1 to 3 pull down the de-facto complainant from the bus and attacked the de-facto complainant, hence, a complaint has been lodged.

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 the petitioner is studying ITI and he has nothing to do with the alleged occurrence.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioner is arrayed as A4 in this case. He would further submit that A1 and A2 were already released on bail and the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured has been 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 Judicial Magistrate No.V, Tirunelveli, 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 enquired for the purpose of 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/-
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.V, TIRUNELVELI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE,
MANOOR POLICE STATION, MANOOR, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.G.GOMATHI SANKAR Advocate SR.No.31296

ORDER
IN
CRL OP(MD) No.12608 of 2017
Date :22/09/2017

SM:PM-PN:SAR I:26.9.2017:2P/6C