



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

Thursday, the Fifth day of October Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13516 of 2017

WEB COPY
ARUMUGAM

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.494/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.RAMASAMY Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

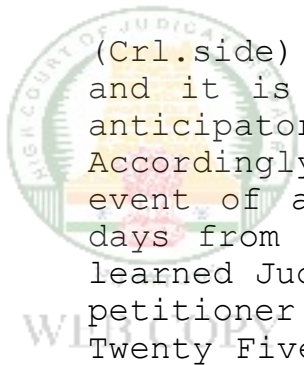
The petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) IPC, in Crime No.494 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 25.09.2017 the owner of the building gave a complaint against the petitioner/tenant, since the petitioner/tenant refused to vacate the building, for which, civil suit is pending before the District Munsif, Kovilpatti in O.S.No.228 of 2015 and the petitioner also filed R.C.O.P.No.1 of 2016 before the Rent Controller, for which, there was a counter complaint in between the petitioner and the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the de-facto complainant attacked the petitioner, thereby he also gave a complaint before the police station and the same was registered in Crime No.495 of 2017.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured has been discharged from the hospital. He further submitted that it is a case of case and counter in between the de-facto complainant and the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side) that the injured has been discharged from the hospital and it is a case of case and counter, I am 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall appear before the investigating Officer daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioner shall not commit any offence while on bail;
- (iv) 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 and the bail granted stands cancelled automatically.

sd/-
05/10/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.RAMASAMY Advocate SR.No.32160

ORDER IN
CRL OP(MD) No.13516 of 2017
Date :05/10/2017