



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

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14130 of 2017

KANNAN

... PETITIONER/ACCUSED No.2

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE
MALLANGINARU POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CR.NO.212/2017

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.V.A.DHANA ARAVINDHA BALAJI, Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

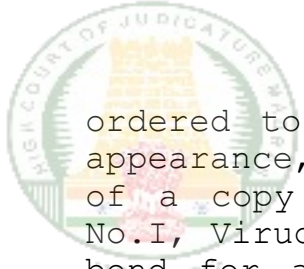
The petitioner/A2 who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 506(i) of IPC., in Crime No. 212 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that there was a civil dispute in between the de-facto complainant and the petitioner for removal of encroachment and declaration of title before the Sub Court, Aruppukottai. The lower Court appointed Advocate Commissioner in order to survey public pathway, due to that the petitioner quarrel with the de-facto complainant and attacked the defacto complainant and he was admitted in the hospital, thereby he filed a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), that injured person has 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Virudhunagar, 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 report before the respondent Police daily at 10.00 a.m., for a period of four weeks;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall make themselves 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;

(v) on breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-

24/10/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, VIRUTHUNAGAR

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE SUB INSPECTOR OF POLICE
MALLANGINARU POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.DHANA LAW ASSOCIATES Advocate SR.No.33065

ORDER IN

CRL OP (MD) No.14130 of 2017

Date :24/10/2017