



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

Wednesday, the Fifteenth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1450 of 2017

VELLAISAMY

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
SIVAGIRI POLICE STATION,
SIVAGIRI,
TIRUNELVELI DISTRICT
CRIME NO.9/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

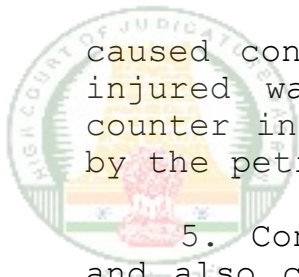
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(i) of IPC., in Crime No.9 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant and pursuant to that the accused attacked the defacto complainant.

3. The learned counsel appearing for the petitioner states that the petitioner is working as a driver in a private bus and the defacto complainant is also working as conductor in the very same private bus. There was a wordy quarrel between the petitioner and the defacto complainant. He would further submit that the petitioner did not commit any offence, as alleged by the respondent Police. The defacto complainant in order to incriminate the petitioner lodged the present false complaint and the present complaint has been given as a counter blast to the complaint given by the petitioner, which was registered in Crime No.8 of 2017, on the file of the respondent Police.

4. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner herein is the sole accused and he said to have attacked the defacto complainant with stick and



caused contusion and abrasion. He would further submit that the injured was discharged from the hospital. There is a case in counter in Crime No.8 of 2017, on the basis of the complaint given by the petitioner herein.

5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Sivagiri, 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 the petitioner shall report before the respondent daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

15/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
SIVAGIRI POLICE STATION, SIVAGIRI, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.8506

ORDER

IN

CRL OP (MD) No.1450 of 2017

Date :15/02/2017

MPK