



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

Tuesday, the Thirty First day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14639 of 2017

WEB COPY

SUNDAR

... PETITIONER/ACCUSED

Vs

STATE RESPRESENTED BY,
THE INSPECTOR OF POLICE,
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.371/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.VELRAJAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

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

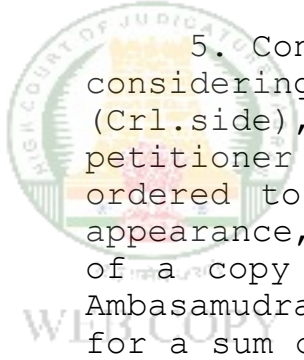
ORDER : The Court Made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294 (b), 353, 324 and 506(ii) of IPC, in Crime No.68 of 2017, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 09.09.2017, the petitioner went to the Ration Shop situated in Pramadesam, wherein the defacto complainant working as an employee and while the petitioner demanded the ration articles from him, he refused to issue ration articles without ration card and asked the petitioner to bring his ration card to get the articles and thereby a wordy quarrel arose between them, due to which, the petitioner attacked the defacto complainant with stone and caused injuries and threatened with dire consequences. On Complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner demanded only the ration articles which are meant for Public Distribution and prays for anticipatory bail

4. The learned Government Advocate (Criminal side) appearing for the respondent did not dispute the factual aspects submitted by the learned counsel for the petitioner. He further submitted that it is a case of case and case in counter.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), 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, Ambasamudram, 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;
- (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 anticipatory bail granted stands cancelled automatically.

sd/-

31/10/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.VELRAJAN Advocate SR.No.33482

ORDER

IN

CRL OP(MD) No.14639 of 2017

Date : 31/10/2017