



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

Thursday, the Second day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14811 of 2017

M.KANIRAJA

... PETITIONER / A1

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI,
IN CRIME NO.535 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ARAVIND RAJ Advocate

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

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

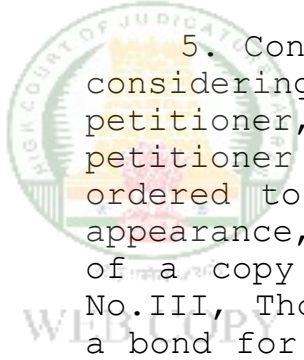
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 353 of I.P.C. r/w. Section 4 of TNPPDL Act, in Crime No.535 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.10.2017, the Supervisor of TASMAL Shop inspected the defacto complainant's shop and thereby, there was a wordy quarrel between the petitioner and the defacto complainant. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted, on instructions, that he is willing to deposit money to the Cancer Institute, Adayar, Chennai, without prejudice to his defence before the trial Court.

4. The learned Government Advocate (Crl.side) appearing for the State also fairly conceded the submission made by the learned counsel for the petitioner.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner, 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.III, Thoothukudi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the Cancer Institute, Adyar, Chennai, without prejudice to his defence before the trial Court.

(ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not abscond either during investigation or trial;

(vi) the petitioner shall not commit any offence while on bail;

(vii) 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/-
02/11/2017

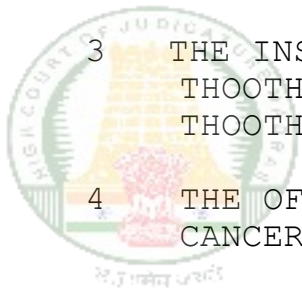
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.III,
TUTICORIN DISTRICT.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.



3 THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI.

4 THE OFFICER INCHARGE,
CANCER INSTITUTE, ADAYAR, CHENNAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

+1. CC to M/S.R.ARAVIND RAJ Advocate SR.No.33810

ORDER
IN
CRL OP (MD) No.14811 of 2017
Date :02/11/2017

MV:SM:SAR2:08/11/2017/3P/7C