

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

Monday, the Thirteenth day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP(MD) No.1483 of 2017

A.MUTHUPANDI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION
THIRUPPUVANAM
SIVAGANGAI DISTRICT
(CRIME NO.42 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.R.KANNAN 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 offence punishable under Sections 294(b), 324 and 506(ii) IPC in Crime No.42 of 2017 on the file of the respondent Police, seeks anticipatory bail.

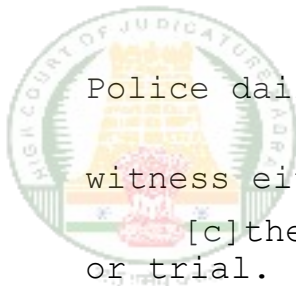
2.The case of the prosecution is that due to some previous enmity, the petitioner attacked the de facto complainant with bottle and abused in filthy language and also threatened him with dire consequences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is the sole accused and injured person was discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that injured person was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Manamadurai, 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

<https://hcservices.mca.gov.in/hcservices/> further condition that:



[a]the petitioner shall report before the respondent Police daily at 10.30 a.m. for a period of 3 weeks.

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioner shall not abscond either during investigation or trial.

[d]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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560) .

sd/-

13/02/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,MANAMADURAI.

2.DO-THROUGH CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3.THE SUB INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION
THIRUPPUVANAM
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.R.R.KANNAN Advocate SR.No.7785

ORDER

IN

CRL OP(MD) No.1483 of 2017

Date :13/02/2017

AAM/RSK/20.2.2017/2P.6C