



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

Friday, the Seventeenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14896 of 2017

SARAVANAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.547/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PRABHU, Advocate
POLAX LEGAL SOLUTIONS Advocate

For Respondent : M/S.C.MAYILVAHANA RAJENDRAN,
ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

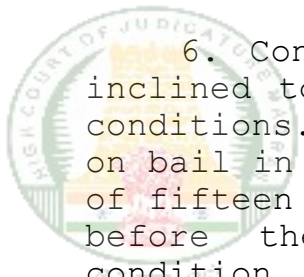
The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 307 of IPC, in Crime No.547 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is a tenant of the defacto complainant's house. Due to civil dispute between the petitioner and the defacto complainant/landlord, on 17.10.2017, the petitioner and other accused attacked the defacto complainant/landlord. Thereby, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioner vacated the premises of the defacto complainant and the case was foisted against him is falsely one and he further submitted that the petitioner is an innocent person and he did not commit any offence as alleged by prosecution.

4.The learned counsel appearing for the intervenor/defacto complainant would submit that the petitioner vacated the premises of the defacto complainant and he has no objection for enlarging the petitioner on anticipatory bail.

<https://hcservices.equity.in/hcservices> 5.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that he did not dispute the fact made by the learned counsel for the intervenor.



6. Considering the facts and circumstances of the case, 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 on which the order copy is made ready, before the learned Judicial Magistrate No.I, Kovilpatti, 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, as and when required for interrogation on receipt of summon;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) 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/-
17/11/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
3. THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.POLAX LEGAL SOLUTIONS Advocate SR.No.34640

ORDER
IN
CRL OP(MD) No.14896 of 2017
Date :17/11/2017