



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

Wednesday, the Eighth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15171 of 2017

MADASAMY

... PETITIONER / 6th ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.290 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.ADITHYA VIJAYALAYAM for M/S.D.VENKATESH Advocate

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

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

ORDER : The Court Made the following order :-

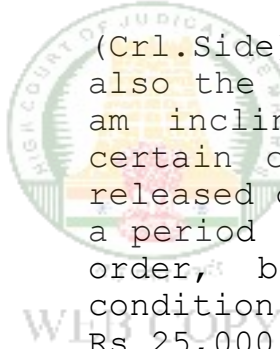
The petitioner, who is arrayed as A6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 324, 355, 506(ii) & 307 I.P.C., in Crime No.290 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to the previous motive, on 27.09.2017, during the temple festival, the petitioners/Accused Nos.1 to 3 waylaid the defacto complainant and abused him using filthy language and attacked him with Aruval and the defacto complainant sustained injuries. On complaint, case has been registered for the above said offences against the petitioners.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that the name of the petitioner was falsely implicated with an ulterior motive.

4.The learned Government Advocate(Crl.side) submitted that the injured has been discharged from the hospital and there is no previous cases pending against the petitioner. He further submitted that the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.Side) that the injured has been discharged from hospital and also the fact that the petitioner did not have any previous 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, 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 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 respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;
- (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 abscond either during investigation or trial;
- (v) the petitioner shall not commit any offence while on bail;
- (vi) 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 bail granted stands cancelled automatically.

sd/-
08/11/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.D.VENKATESH Advocate SR.No.34088

ORDER IN
CRL OP(MD) No.15171 of 2017
Date :08/11/2017