



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15233 of 2017

MOHAMED MOHIDEEN

... PETITIONER/ACCUSED

RANK NOT KNOWN

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ATHIRAMPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO. 236/2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR 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 herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 352, 353, 294(b) and 506(ii) of I.P.C, in Crime No. 236 of 2017 on the file of the respondent police, seeks anticipatory bail.

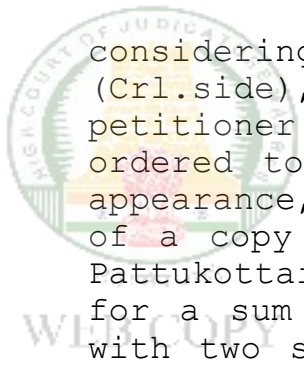
2.The case of the prosecution is that the other accused persons in this case were riding in a motor cycle and dashed against the defacto complainant's motor vehicle. The defacto complainant is none other than the Sub Inspector of Police. There was a wordy quarrel between the other accused persons and the Sub Inspector of Police. Aggrieved by the same, the accused persons attacked the defacto complainant. Hence the defacto complainant lodged a complaint against the other accused persons in this case.

3.The learned counsel for the petitioner submitted that the petitioner name is not found in the F.I.R and he is no way connected with the alleged occurrence. He further submitted that he did not commit any offence as alleged by the prosecution. He would further submit that the A1 and A2 were already released on bail by the Sessions Court.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that A1 and A2 were already released on bail by the Sessions Court and investigation is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also



considering the submission made by the learned Government Advocate (Crl.side), this Court is 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, Pattukottai, 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 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 not abscond either during investigation or trial.

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

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
09/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE,
ATHIRAMPATTINAM POLICE STATION, THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SASIKUMAR Advocate SR.No.34127

ORDER IN
CRL OP (MD) No.15233 of 2017
Date : 09/11/2017