



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

Friday, the Twenty Fourth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15287 of 2017

VIGNESH,

... PETITIONER/ACCUSED No.2

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE,
SOUTH POLICE STATION, TUTICORIN.
(CRIME NO.809 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.LAKSHMI PARVATHI, Advocate

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

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

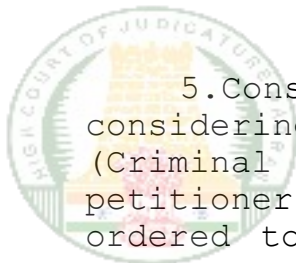
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 342, 324 and 506(ii) of I.P.C., in Crime No.809 of 2015, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the witness in a criminal case involved by A1 and thereby, petitioner and other accused forced the defacto complainant to turn hostile in the criminal case, however, the defacto complainant refused to do the same. Thereby, on 21.10.2017, the petitioner and the other accused attacked the defacto complainant, due to which, the defacto complainant sustained injuries and admitted in the hospital. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that A1 and A3 were granted anticipatory bail and the investigation has almost been completed. He further submitted that the defacto complainant is absconding from the hospital.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), 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.I, Tuticorin, 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 report before the respondent police, daily at 10.30 a.m., until further orders;

(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 anticipatory bail granted stands cancelled automatically.

sd/-

24/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TUTICORIN
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE SUB INSPECTOR OF POLICE, SOUTH POLICE STATION, TUTICORIN.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.KA.RAAMAKRISHINAN Advocate SR.No.35101

ORDER

IN

CRL OP(MD) No.15287 of 2017

Date :24/11/2017