



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

Thursday, the Sixteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15647 of 2017

IMMANUEL DURIBALA

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
CENTRAL POLICE STATION, TUTICORIN DISTRICT.
CRIME NO.445/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.MALAIYENDRAN, 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 :-

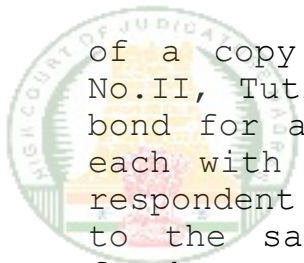
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 324 and 506(ii) of I.P.C., in Crime No.445 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that some unknown person tried to attack the defacto complainant and thereby, the defacto complainant sustained injuries and admitted in the hospital. Hence, a case has been registered against the petitioner for the aforesaid offences.

3.The learned counsel for the petitioner submit that the petitioner is an employee in V.O.C. Port Trust, since there was a previous enmity between the petitioner and the defacto complainant, a false case has been foisted against the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured person was discharged 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.II, 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 5.30 p.m., for a period of four 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 anticipatory bail granted stands cancelled automatically.

sd/-

16/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, TUTICORIN

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN

3 THE INSPECTOR OF POLICE
CENTRAL POLICE STATION, TUTICORIN DISTRICT.

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

+1. CC to Mr.V.MALAIYENDRAN, Advocate SR.No.34579

JAM/22/11.17/RR/SAR 1/ 2P-6C