



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

Friday, the Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16890 of 2017

BASKARAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TOWN POLICE STATION, RAMESHWARAM,
RAMANATHAPURAM DISTRICT.

(CRIME NO.248 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.BALAMURUGAPANDI 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 :-

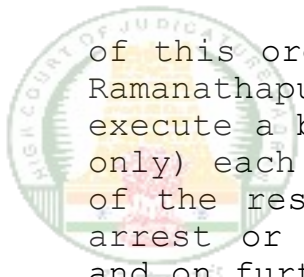
The petitioner, who is arrayed as Accused No.1, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 of IPC, Section 4 of Tamilnadu Prohibition of Women Harassment Act, in Crime No.248 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are relatives. On 28.11.2017, due to the dispute regarding fencing of their property, the petitioner attacked the defacto complainant, thereby she sustained injury and admitted in the hospital. Hence, she lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) would submit that the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Crl.Side), that the injured person has been discharged from the hospital, 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, Rameshwaram, Ramanathapuram District, 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:

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- (i) The petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks, thereafter as and when required for interrogation;
- (ii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (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/-

08/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
RAMESHWARAM, RAMANATHAPURAM DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT
 - 3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, RAMESHWARAM, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to Mr.D.BALAMURUGAPANDI Advocate SR.No.35915

JAM/13.12.17/PN/ SAR 4/ 2P-6C